

RESOLUTIONS AND LEGAL NOTICES OF HEARINGS LISTED ON THE PRELIMINARY AGENDA ARE AVAILABLE AT THE TOWN CLERK'S OFFICE ONE DAY PRIOR TO THE TOWN BOARD MEETING.

IF YOU ATTEND THE TOWN BOARD MEETING AND WISH TO READ ANY LEGAL NOTICE OF PUBLIC HEARING OR RESOLUTION SCHEDULED, PLEASE SEE THE WHITE BINDER LOCATED ON THE TABLE TO THE RIGHT OF THE DAIS NEXT TO THE TOWN CLERK. IF YOU HAVE ANY FURTHER QUESTIONS PLEASE SEE TOWN CLERK JO-ANN RAIA.

PRELIMINARY/ADOPTED AGENDA AND ADOPTED RESOLUTIONS ARE AVAILABLE AT:
<http://HuntingtonNY.gov>

PRESENT:

Supervisor	Frank P. Petrone
Councilwoman	Susan A. Berland
Councilman	Eugene Cook
Councilman	Mark A. Cuthbertson
Councilwoman	Tracey A. Edwards
Town Clerk	Jo-Ann Raia
Town Attorney	Cindy Elan-Mangano

AGENDA FOR TOWN BOARD MEETING DATED OCTOBER 21, 2014

BOARD OF TRUSTEES' MEETING FOLLOWING

Opened: 9:48 P.M. Closed: 9:49 P.M.

COMMUNITY DEVELOPMENT AGENCY MEETING FOLLOWING

Opened: 7:39 P.M. Recessed: 7:48 P.M. Resumed: 9:49 P.M. Closed: 9:49 P.M.

6:00 P.M. – TOWN HALL

Opened: 6:05 P.M. Recessed: 7:39 P.M. Resumed: 7:48 P.M.
Recessed: 9:18 P.M. Resumed: 9:32 P.M. Closed: 9:48 P.M.

(Resolutions #2014-482 to 2014-520)

HEARINGS:

ACTION

1. Discussion re: Preliminary Annual Operating Budget.

(Re: Fiscal Year beginning 1/1/2015)

(2014-M-45)

Scheduled as per Resolution 2014-469 at 9-16-2014 Town Board Meeting

DECISION RESERVED

2. Discussion re: Preliminary Capital Budget.

(Re: Fiscal Year beginning 1/1/2015)

(2014-M-46)

Scheduled as per Resolution 2014-470 at 9-16-2014 Town Board Meeting

DECISION RESERVED

3. Consider adopting Assessment Roll for the Huntington Sewer District.

(2014-M-47)

Scheduled as per Resolution 2014-471 at 9-16-2014 Town Board Meeting

DECISION RESERVED

HEARINGS (Continued):

ACTION

4. Consider adopting Assessment Roll for the Centerport Sewer District.
(2014-M-48)

Scheduled as per Resolution 2014-472 at 9-16-2014 Town Board Meeting

DECISION RESERVED

5. Consider adopting Local Law Introductory No. 40-2014, amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Anchorage Lane, Halesite - Parking Restrictions.
(Local Law Introductory No. 40-2014)

Scheduled as per Resolution 2014-475 at 9-16-2014 Town Board Meeting

DECISION RESERVED

6. Consider adopting Local Law Introductory No. 41-2014, amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Bagatelle Road, Dix Hills – Parking Restrictions.
(Local Law Introductory No. 41-2014)

Scheduled as per Resolution 2014-476 at 9-16-2014 Town Board Meeting

DECISION RESERVED

7. Consider issuing a Certificate of Approval in an Historic District Re: Margaret Lane and East Main Street, Huntington – Old Huntington Green Historic District. (**Applicant: Margaret Lane LLC**)

(**SCTM # 400-74-03-34.4 & 34.5**)

(2014-ZC-6-Ch. 198)

Scheduled as per Resolution 2014-480 at 9-16-2014 Town Board Meeting

DECISION RESERVED

8. Consider authorizing various actions be taken upon certain properties designated as Blighted in accordance with Chapter 156, Article VII, §156-67 (Blighted Property). (**SCTM #'S 0400-203.00-02.00-004.001; 0400-098.00-01.00-025.000; 0400-077.00-02.00-036.007**)

(2014-M-49)

Scheduled as per Resolution 2014-479 at 9-16-2014 Town Board Meeting

**ACTIONS TAKEN AS PER
RESOLUTION 2014-512**

9. Consider adopting Local Law Introductory No. 38-2014, amending the Uniform Traffic Code of the Town of Huntington, Chapter I (General Provisions), Chapter 3 (Parking Regulations) and Chapter 4 (Parking Fields).

(Local Law Introductory No. 38-2014)

Scheduled as per Resolution 2014-473 at 9-16-2014 Town Board Meeting

DECISION RESERVED

10. Consider adopting Local Law Introductory No. 39-2014, amending the Code of the Town of Huntington, Chapter 159 (Recreational Facilities); Article I (Definitions), Article II (Use Regulations and Restrictions) and Article III (Permit for Use of Park Facilities).

(Local Law Introductory No. 39-2014)

Scheduled as per Resolution 2014-474 at 9-16-2014 Town Board Meeting

DECISION RESERVED

11. Consider adopting Local Law Introductory No. 42-2014, amending the Code of the Town of Huntington, Chapter 160 (Registration of Property).
(Local Law Introductory No. 42-2014)

Scheduled as per Resolution 2014-477 at 9-16-2014 Town Board Meeting

DECISION RESERVED

HEARINGS (Continued):

ACTION

12. Consider adopting Local Law Introductory No. 43-2014, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article VI (Historic Landmarks and Districts), §198-42 (Designation of Sites and Buildings), to designate as an Historic Landmark the buildings and property known as the Jupiter Hammon House, 73 West Shore Road, Huntington. **(Re: P/O SCTM # 0400-026-02-041)**
(Local Law Introductory No. 43-2014)
Scheduled as per Resolution 2014-478 at 9-16-2014 Town Board Meeting

DECISION RESERVED

COMMUNITY DEVELOPMENT AGENCY HEARING:

1. Obtain the views of citizens, Public Agencies and other interested parties on the housing and Community Development needs of the Town of Huntington for inclusion in the Agency's 5-Year Consolidated Plan and first year Annual Plan.

HEARING CONCLUDED

**AGENDA FOR TOWN BOARD
MEETING DATED: OCTOBER 21, 2014**

RESOLUTIONS: **OFF. SEC. VOTE**

ABBREVIATIONS FOR PURPOSE OF AGENDA:

Supervisor Frank P. Petrone - FP
Councilwoman Susan A. Berland - SB
Councilman Eugene Cook - EC
Councilman Mark A. Cuthbertson - MC
Councilwoman Tracey A. Edwards- TE

- | | | | | |
|------------------|---|--|------------------|------------------|
| 2014-482. | AUTHORIZE the Supervisor to execute a contract extension with GEI Consultants, Inc. for Crab Meadow Hydrology Study and Stewardship Plan. (Re: Town Board Resolution 2013-43; extension until May 1, 2015) | FP | EC | |
| | | <u>MC</u> | <u>SB</u> | <u>5</u> |
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| 2014-483. | AUTHORIZE the Supervisor to execute a requirements contract for traffic signal maintenance with Johnson Electrical Construction Corp. (Contract Period: 12 months commencing upon execution) | | <u>SB</u> | <u>EC</u> |
| | | | | <u>5</u> |
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| 2014-484. | AUTHORIZE the Supervisor to execute a contract for the hauling of Resource Recovery Facility Ash to the Town of Brookhaven landfill with Power Crush, Inc. (Term: Commence upon execution but not before January 1, 2015 until December 31, 2017) | | <u>SB</u> | <u>EC</u> |
| | | | | <u>5</u> |
| | | | | |
| 2014-485. | AUTHORIZE the Supervisor to execute a requirements contract for hydraulic repairs and parts with Dependable Repair Inc. (Period: One year) | | <u>SB</u> | <u>EC</u> |
| | | | | <u>5</u> |
| | | | | |
| 2014-486. | AUTHORIZE the Supervisor to execute an agreement with Ruland Tax Credit Limited Partnership and HG Housing Development Fund Company, Inc. to exempt certain real property identified as SCTM Nos. 0400-267-01-034.002, 034.003, 034.004) from Real Estate Taxes and requiring payments in-lieu of taxes. | <u>FP</u> | <u>EC</u> | <u>5</u> |
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| 2014-487. | AUTHORIZE the Supervisor to extend the agreement with the Commissioner of Transportation of the State of New York and the Town of Huntington for snow and ice removal on State highways within the boundaries of the Town of Huntington. (Period: July 1, 2014 through June 30, 2015) | <u>FP</u> | <u>EC</u> | <u>SB</u> |
| | | | | <u>5</u> |
| | | | | |
| 2014-488. | AUTHORIZE the Supervisor to execute amendments to the Town's Collective Bargaining Agreements for the provision of a retirement incentive. | <u>FP</u> | <u>SB</u> | <u>5</u> |
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| 2014-489. | AUTHORIZE the Community Benefits Agreement by and among the Town of Huntington, the Town of Huntington Economic Development Corporation and Renaissance Downtowns at Huntington Station, LLC. | <u>RESOLUTION
WITHDRAWN BY
SUPERVISOR PETRONE</u> | | |

**AGENDA FOR TOWN BOARD
MEETING DATED: OCTOBER 21, 2014**

RESOLUTIONS:	OFF.	SEC.	VOTE
2014-490. AUTHORIZE named financial institutions as depositories for tax receipts and authorizing the Receiver of Taxes to execute collateral agreements for tax receipt accounts on behalf of the Town of Huntington. (Re: JP Morgan Chase Bank, Valley National Bank, HSBC Bank USA, Wells Fargo Bank, TD Bank and Community National Bank)	<u>SB</u>	<u>EC</u>	<u>5</u>
2014-491. AUTHORIZE an extension of time to pay taxes for those persons granted a Senior Citizen Tax Exemption and Enhanced Star Exemption pursuant to Chapter 178 of the Code of the Town of Huntington. (Re: Time Extended to Friday, June 5, 2015)	<u>FP</u>	<u>EC</u> <u>SB</u>	<u>5</u>
2014-492. AUTHORIZE the correction of code violations at various locations pursuant to the Code of the Town of Huntington. (Re: Federal National Mortgage Association, 73 West 11 th Street, Huntington Station, Chapters 133, 156; Hypothecator Realty Corp., 1 Alpine Way, Huntington Station, Chapters 133, 156 [section 45 and 46], 191; Joanne Saski, 9 Beltrane Drive, Dix Hills, Chapter 133; Gina Insigne, 11 Woodland Lane, Huntington, Chapter 156)	<u>SB</u>	<u>EC</u>	<u>5</u>
2014-493. AUTHORIZE the Comptroller to amend the 2014 Operating Budget for the Town of Huntington and its special districts – various departments.	<u>SB</u> <u>TE</u>	<u>FP</u>	<u>5</u>
2014-494. AUTHORIZE the Comptroller to amend the 2014 Operating Budget for the Town of Huntington and its Special Districts – General Services.	<u>SB</u>	<u>FP</u>	<u>5</u>
2014-495. AUTHORIZE the Comptroller to amend the 2014 Operating Budget for the Town of Huntington and its Special Districts-Highway Department.	<u>MC</u>	<u>SB</u>	<u>5</u>
2014-496. AUTHORIZE the Comptroller to appropriate funds from the Parks and Recreation Capital Improvement Reserve and the Technology Reserve and amend the 2014 Operating and Capital Budget for the Town of Huntington and its Special Districts for the purpose of funding the installation of surveillance system-Public Safety. (Subject to Permissive Referendum)	<u>FP</u> <u>MC</u> <u>SB</u>	<u>TE</u>	<u>5</u>
2014-497. ADOPT the findings and determinations of the Administrative Hearing Officer and authorizing action(s) in accordance with Huntington Town Code Chapter 156 Property Maintenance; Nuisances, Article VII, Blighted Property, §156-67, action by Town Board for failure to comply or abate violations. (Re: Nicholas/Linda D’Onofrio, 4 Carriage Court, Dix Hills, SCTM# 0400-262.00-01.00-145.000, Schedule A)	<u>SB</u>	<u>EC</u>	<u>5</u>
2014-498. ACCEPT the donation of a plaque and stone from Arthur Goldstein Memorial Committee at Crab Meadow Beach in memory of Arthur Goldstein, Esq.	<u>FP</u>	<u>EC</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: OCTOBER 21, 2014**

RESOLUTIONS:	OFF.	SEC.	VOTE
2014-499. ACCEPT a donation from F&W Schmitt’s Family Farm for the donation of twenty (20) large mums to the Town of Huntington Senior Center, nunc pro tunc.	<u>TE</u>	<u>EC</u> <u>SB</u>	<u>5</u>
2014-500. AMEND Town Board Resolution 2014-459, to correct a scrivener’s error. (Re: Appoint Dominic Feeny for entire unexpired term ending 9/30/2019-Board of Assessment Review)	<u>SB</u>	<u>FP</u>	<u>5</u>
2014-501. CLASSIFY amended Round 8 Suffolk County Downtown Revitalization Grant Project pursuant to the State Environmental Quality Review Act and authorizing the Supervisor to receive grant funding in connection with same grant program. (Re: Install new brick sidewalk/curbing at the southeast corner of Broadway/New York Avenue)	<u>FP</u>	<u>SB</u>	<u>5</u>
2014-502. CLASSIFY under New York State Environmental Quality Review Act a Jump Start Suffolk County Grant Project. (Re: Lowndes Avenue-Rail Road Street realignment/reconstruction project)	<u>FP</u>	<u>SB</u>	<u>5</u>
2014-503. DONATE two (2) surplus Gem Electric Carts to the South Huntington School District to be used for school district purposes.	<u>TE</u>	<u>SB</u>	<u>5</u>
2014-504. GRANT permission to the Cold Spring Harbor Main Street Association to sponsor its eighth annual “Howl-ween” Canine Costume Parade and Howling Hound Doggie Halloween Party and Sidewalk Sale event and for use of town-owned parking lot on Saturday, October 18, 2014 (Raindate: October 19, 2014), nunc pro tunc. (Re: Municipal Lot #11 on 10/18/2014 from noon until 4:00 pm; raindate: 10/19/2014)	<u>MC</u>	<u>TE</u>	<u>5</u>
2014-505. URGE the Suffolk County Legislature and County Executive to enact the resolutions comprising the “Helping Our Homeless Heroes Act” sponsored by Legislator Steve Stern. (Re: Suffolk County Resolutions 1836-2014, 1837-2014 and 1838-2014)	<u>FP</u>	<u>EC</u> <u>SB</u>	<u>5</u>
2014-506. ENACTMENT: APPROVE a license agreement for the use of a portion of Town of Huntington land identified as SCTM 0400-031.00-01.00-002.002 with 95 New York Avenue, LLC and Prime Events Inc. D/B/A The Harbor Club. (Agreement will terminate December 31, 2033)	<u>TE</u>	<u>FP</u>	<u>5</u>
2014-507. ENACTMENT: ADOPT Local Law Introductory Number 35-2014 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, Article IV, §2-7, Schedule G. Re: Locust Lane, Bayberry Road, Eatons Neck – Stop Sign.	<u>MC</u>	<u>EC</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: OCTOBER 21, 2014**

RESOLUTIONS:	OFF.	SEC.	VOTE
2014-508. ENACTMENT: ADOPT Local Law Introductory Number 36-2014 amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Broadway, Huntington Station – Parking Restrictions.	<u>MC</u>	<u>EC</u>	<u>5</u>
2014-509. ENACTMENT: ADOPT Local Law Introductory No. 37-2014, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article I (General Provisions) and Article VI (Historic Landmarks and Districts).	<u>FP</u>	<u>SB</u> <u>EC</u>	<u>5</u>
2014-510. ENACTMENT: APPROVE the issuance of a Certificate of Approval in a Historic District Re: 20 East Main Street, Huntington – Old Huntington Green Historic District. (Applicant: Kelly DiVico; SCTM# 0400-073.00-02.00-005.001)	<u>SB</u>	<u>EC</u>	<u>5</u>
2014-511. ENACTMENT: APPROVE the issuance of a Certificate of Approval at an individually designated site Re: 35 Greenlawn Road, Huntington. (Applicant: Rene Neville-Conk; SCTM# 0400-075.00-01.00-032.001)	<u>SB</u>	<u>TE</u>	<u>5</u>
2014-512. AUTHORIZE appropriate action(s) in accordance with Huntington Town Code Chapter 156 Property Maintenance; Nuisances, Article VII, Blighted Property, §156-67, action by Town Board for failure to comply or abate violations. (Re: Schedules A & B: 178 Beverly Road, LLC, 178 Beverly Road, Huntington Station, SCTM# 0400-203.00-02.00-004.001; Walter/Jo Ann Hergenhan, 9 Maryanne Court, Huntington, SCTM# 0400-077.00-02.00-036.007)	<u>SB</u>	<u>EC</u>	<u>5</u>
2014-513. SCHEDULE A PUBLIC HEARING: December 9, 2014 at 7:00 PM To consider adopting Local Law Introductory Number 44 -2014, considering Zone Change Application #2013-ZM-396, Matrix Investment Group, LLC to change the zoning from C-6 General Business District to C-11 Automotive Service Station District and C-7 Minor Commercial Corridor District, and to revoke the Covenants and Restrictions previously recorded as part of the Hagstrom Buick Zone Change, #95, for property located on the northwest corner of Jericho Turnpike and West Hills Road, Huntington Station, SCTM# 0400-192-01-042 &043.	RESOLUTION WITHDRAWN BY COUNCILWOMAN <u>BERLAND</u>		
2014-514. SCHEDULE A PUBLIC HEARING: November 6, 2014 at 2:00 PM To consider adopting Local Law Introductory No. 44-2014 amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, Article II, §3-3, Schedule J. Re: Denise Court, Oak Crest Drive; Huntington Station – Parking Restrictions.	<u>FP</u>	<u>TE</u> <u>EC</u>	<u>5</u>
2014-515. SCHEDULE A PUBLIC HEARING: November 6, 2014 at 2:00 PM To consider issuing a Certificate of Approval in an Historic District Re: 7 Goose Hill Road, Cold Spring Harbor –Cold Spring Historic District. (Applicant: John/Michele Gulitti; SCTM# 0400-016.00-06.00-008.003)	<u>MC</u>	<u>EC</u>	<u>5</u>

**AGENDA FOR TOWN BOARD
MEETING DATED: OCTOBER 21, 2014**

RESOLUTIONS:	OFF.	SEC.	VOTE
<p>2014-516. SCHEDULE A PUBLIC HEARING: November 6, 2014 at 2:00 PM To consider issuing a Certificate of Approval in an Historic District Re: 144 Old Country Road, Melville – Sweet Hollow Historic District. (Applicant: Terri Haas/George Gelish; SCTM# 0400-256.00-02.00-022.000)</p>	<u>SB</u>	<u>TE</u>	<u>5</u>
<p>2014-517. SCHEDULE A PUBLIC HEARING: November 6, 2014 at 2:00 PM To consider acquiring Centerport property (Shorewood Community Association). (SCTM# 0400-040-06-012.000; south side of Mill Dam Road)</p>	<u>FP</u> <u>MC</u>	<u>EC</u>	<u>5</u>
<p>2014-518. SCHEDULE A PUBLIC HEARING: November 6, 2014 at 2:00 PM To consider authorizing various actions be taken upon certain properties designated as blighted in accordance with Chapter 156, Article VII, §156-60 (Blighted Property). (Re: Schedule A – Philip/Deborah McLaughlin, 1 Denton Court, Huntington, SCTM# 0400-206.00-01.00-055.000; Matthew McKay, 7 Sunset Drive, Huntington, SCTM# 0400-098.00-02.00-035.000; Meir Dombey/Chaya Burstein, 16 Hilltop Avenue, Huntington, SCTM# 0400-098.00-02.00-049.000); Barry/Colette Blake, 43 Talisman Drive, Huntington, SCTM# 0400-262.00-02.00-145.000; Angelo Karastamatis, 74 Old Northport Road, Huntington, SCTM# 0400-077.00-02.00-012.000)</p>	<u>SB</u>	<u>EC</u>	<u>5</u>
<p>2014-519. SCHEDULE A PUBLIC HEARING: November 6, 2014 at 2:00 PM To consider an agreement to lease, operate and manage golf course and food and beverage operations at the Crab Meadow Golf Course and operate and manage golf course operations at the Dix Hills Golf Course in the Town of Huntington, New York. (Re: Integrity Golf Company, LLC for a term of 5 years commencing not prior to January 1, 2015)</p>	<u>FP</u>	<u>EC</u>	<u>5</u>
<p>2014-520. AMEND Resolution No. 2014-348 authorizing the Supervisor to execute a contract with Toshiba Business Solutions USA, Inc., for the lease of 64 multifunction copy/print/scan machines for various Town departments under Suffolk County Contract which was adopted on July 15, 2014. (Suffolk County Contract #'s PE-062714 and PEC-052114)</p>	<u>SB</u>	<u>FP</u> <u>TE</u>	<u>5</u>

**AGENDA FOR BOARD OF TRUSTEES'
MEETING DATED: OCTOBER 21, 2014**

RESOLUTIONS:

OFF. SEC. VOTE

2014-BT7. ENACTMENT: APPROVE the issuance of a Special Use Permit pursuant to the Marine Conservation Law, Town Code Chapter 137, Applicant: Thomas A. Knutson Jr. Revocable Trust, Location: 17 Mill Dam Rd., Huntington, N.Y. S.C.T.M. #0400-031.00-01.00-011.000.
(Applicant: Torkel A. Knutson on behalf of aforementioned)

**FP SB
EC 5**

**AGENDA FOR COMMUNITY DEVELOPMENT AGENCY
MEETING DATED: OCTOBER 21, 2014**

RESOLUTIONS:

OFF. SEC. VOTE

2014-CD7. AUTHORIZE the Chairman to execute a contract with Certilman Balin Adler & Hyman, LLP for legal services in connection with the preparation and approval of a condominium plan for Columbia Terrace, Huntington Station. **(Re: Location the corner of Lowndes Avenue and Railroad Street)**

FP EC 5

**INFORMATIONAL SHEET FOR:
TOWN BOARD, BOARD OF TRUSTEES' AND COMMUNITY DEVELOPMENT
MEETING DATED: October 21, 2014**

COMMUNICATION

DISTRIBUTION

1. Letters received Certified Mail – Applying for Liquor Licenses:
From: Dennis Borysowski for Village Restaurant Corp. d/b/a to be determined (373 New York Avenue, Huntington); From: Anthony Lauto for Frankie’s Restaurant Group LLC d/b/a to be determined (330 New York Avenue, Huntington); From: Patrick DeLuca for d/b/a to be determined (445 East Main Street, Centerport); From: Corinne Zarou for Zaro’s Café (135 West Jericho Tpke, Huntington Station)

Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
Planning & Environment
cc: Sewage Treatment Facility
2. Letters received Certified Mail – Renewal for Liquor Licenses:
From: J. Creamer for Nocello Ristorante; From: Robert Haddow for the Crossroads Café; From: Liying Qiao for Hikudo Asian Bistro and Sushi;

Supervisor
Town Board
Town Attorney
Public Safety
Fire Inspector
Engineering Services
Planning & Environment
cc: Sewage Treatment Facility
3. Letter received from Fred Buckholtz, Jr., Treasurer of the Huntington Fire District, regarding the proposed budget for 2015. A copy of the proposed budget and a copy of the Legal Notice for the budget hearing, to be held at 7:00 PM on October 21, 2014, were included.

Supervisor
Town Board
Town Attorney
cc: Comptroller
4. Letters received from Todd Cohen, District Secretary for the Dix Hills Fire District, regarding the proposed budget for 2015. A copy of the proposed budget and a copy of the Legal Notice for the budget hearing, to be held at 7:00 PM on October 21, 2014, were included.

Supervisor
Town Board
Town Attorney
cc: Comptroller
5. Letter received from Louise Caputo, Secretary/Treasurer for the Greenlawn Fire District, regarding the proposed budget for 2015. A copy of the proposed budget and a copy of the Legal Notice for the budget hearing, to be held at 7:00 PM on October 21, 2014, were included.

Supervisor
Town Board
Town Attorney
cc: Comptroller
6. A copy of the South Huntington Union Free School District 2015 Fiscal Budget was submitted.

Supervisor
Town Board
Town Attorney
cc: Comptroller
7. Emails/letters received in Support of Pickle Park from: Ellen Niemczyk, Andy Staib, Brian Hackett, Jane Irving, Mark Kennedy, Tracy Trudden, Nicole Attmissimo, Pam Gilleis, Greenlawn resident (name and address illegible),

Supervisor
Town Board
Town Attorney
cc: Parks and Recreation
8. Emails received in opposition of the proposed Benchmark Senior Living Facility from the following: Joan Healy, Liz/Jim Woods

Town Attorney
Engineering Services
cc: Planning & Environment

9. Letters received in support of the proposed Benchmark Senior Living Facility from the following: William Bush III, Dennis Buonocore
Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
10. Email received from Jay Hershkowitz, regarding the development of property located on Jericho Turnpike in Elwood. The writer is a representative on the Long Island Commission for Aquifer Protection. He discusses various concerns with the water supply and offers alternative methods to consider when developing.
Town Attorney
Engineering Services
cc: Planning & Environment
11. Letter received from Nancy McFadzen, Secretary of the Commack Fire District, regarding the proposed 2015 budget. Attached was a copy of the proposed budget and also a copy of the legal notice for the budget hearing to be held on October 21, 2014 at 7:00 PM. was included.
Supervisor
Town Board
Town Attorney
cc: Comptroller
12. Notice of Public Hearing and a copy of the proposed 2015 budget was submitted by James Milazzo, District Secretary for the Melville Fire District. The budget hearing will be held on October 21, 2014 at 7:00 PM.
Supervisor
Town Board
Town Attorney
cc: Comptroller
13. Notice of Public Hearing and a copy of the proposed 2015 budget was submitted by Candace Thomson from the Huntington Manor Fire District. The budget hearing will be held on October 21, 2014 at 7:00 PM.
Supervisor
Town Board
Town Attorney
cc: Comptroller
14. Notice of Public Hearing and a copy of the proposed 2015 budget was submitted by Liz Beach, District Secretary for Cold Spring Harbor. The budget hearing will be held on October 21, 2014 at 7:30 PM.
Supervisor
Town Board
Town Attorney
cc: Comptroller
15. Email received from Janette Newell advising that she signed the online petition, "Jo-Ann Raia: Reject Benchmark Corporation's Zoning Proposal."
Supervisor
Town Board
Town Attorney
cc: Planning & Environment
16. Notice of a Board of Zoning Appeals Public Hearing for the Incorporated Village of Laurel Hollow received from Chairman, Russell Mohr. The meeting will be held on October 22, 2014 at 7:30 PM at Village Hall. The hearing involves the following properties: 1) 1497 Laurel Hollow Road- construction and regarding have disturbed a slope. 2) 5 Woodgreen Way – proposed construction will disturb a slope.
Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
17. Email received from Bonnie Sammis, District Secretary/Treasurer for the Halesite Fire District, included was a copy of the Proposed Budget for 2015 and a copy of the Legal Notice for the Budget Hearing to be held on October 21, 2014 at 7:00 PM. There will be a special meeting immediately following the Public Hearing to finalize and approve the budget.
Supervisor
Town Board
Town Attorney
cc: Comptroller
18. Notice received regarding the Board of Zoning Appeals for the Village of Northport, Public Hearing to be held on October 22, 2014 at 7:00 PM at Village Hall. The following properties have applications for consideration: 104 Stanton Street, 23 Bluff Point Road, 66 Sea Cove Road, corner of Scudder and June Avenue and 155 Main Street.
Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment

19. Notice of Public Hearing received from Paul Bregman, Chairman of the Laurel Hollow Planning Board, regarding a hearing to be held on October 21, 2014 at 8:00 PM in Village Hall. The hearing is regarding property known as 1218 Moores Hill Road subdivision map for approval to subdivide the land into 2 parcels.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
20. Public Notice received from Gail Devol, Village Administrator for Huntington Bay, regarding a Public hearing to be held at 7:30 PM on October 16, 2014 at Village Hall. The hearing is regarding property located at 352 Bay Avenue that requires various variances.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
21. Letter received from Kristi Cartolano, District Secretary for the Eaton's Neck Fire District, included was a copy of the 2015 Proposed Budget and a copy of Notice of Public Hearing. The budget hearing will be held on October 21, 2014 at 7:00 PM at the firehouse.
- Supervisor
Town Board
Town Attorney
cc: Comptroller
22. Letter received from Erin O'Dell-Keller, Manager of Outreach and Education for the State of New York Department of Public Service regarding the proposal to implement a new area code for Suffolk County by means of an overlay. An additional notice was attached seeking comments.
- Supervisor
Town Board
Town Attorney
cc: General Services
23. Email received from James and Laura Anderson regarding commendations for the Huntington Animal Control personnel at the shelter on Depot Road in East Northport. The writers had a major fire in their home and praised the care given to their animals.
- Town Attorney
cc: Public Safety-K.Lindahl
24. Letter received from Floyd Sarisohn of Sarisohn Law Partners LLP, regarding the Change of Zone Application no. 2013-ZM-397, the Villadom Elwood Orchard Project submitted by Syncated Ventures, LLC for the Mediavilla property. The writer represents the Manor Plains Civic Association and is requesting a public scoping. It is indicated by Mr. Sarisohn that he" believes public scoping is required, particularly given all the potentially significant adverse environmental impacts of the project..."
- Supervisor
Town Board
cc: Engineering Services
25. Email received from Jeannette Henry opposing the proposed Villadom retail development on Jericho Turnpike.
- Town Attorney
Engineering Services
cc: Planning & Environment
26. Email received from Lucille Imperato regarding Zoning Board Appeals #21004. The writer is against the application for a drive through for Dunkin Donuts on Old Walt Whitman Road in Huntington Station.
- Supervisor
Town Board
Town Attorney
Engineering Services
cc: Planning & Environment
27. Letter received from Leigh Ann Varese, District Secretary-Treasurer for the Centerport Fire District, advising that a proposed budget for the year 2015 was adopted at the September 15, 2014 meeting. Copy of the Legal Notice for the Budget Public Hearing received via email.
- Supervisor
Town Board
Town Attorney
cc: Comptroller
28. Email received from Kenneth Molfetta voicing his opposition to the new rental inspection law. The writer indicates this will make housing less affordable and is an invasion of privacy for owners and tenants.
- T.Edwards, Councilperson
Town Attorney
Public Safety
Engineering Services
cc: Planning & Environment

29. Letter received via email and mail delivery from Richard Koubek, President of the Huntington Township Housing Coalition regarding the proposed resolution to require permitting and inspection of non-owner occupied rental units. The coalition endorses Councilwoman Edwards' resolution subject to the following amendments: 1) Delete section 160-21 that penalizes renters for living in a unit that has not been permitted. 2) Oppose section 160-20. 3) A workable permitting and inspection process should be expedited by owners being provided with a six month grace period to bring their home up to code, owners receive inspection within 10 days of request, the permitting process be completed within 15 days of application being filed.
- Supervisor
Town Board
Town Attorney
Public Safety
Engineering Services
cc: Planning & Environment
30. Email received from Edward Franz on October 17, 2014, regarding a letter he wanted distributed at the October 16th Zoning Board Meeting regarding application 21004 New Dough I LLC. The writer indicates various safety issues as his reasons why the variance for Dunkin Donuts should be denied.
- Supervisor
Town Board
Town Attorney
cc: Planning & Environment
31. Email forward to the Town Clerk's Office from the Supervisor's Office, from Dennis Yonkers, a disabled veteran and RN, offering his services and support to the Town.
- cc: Public Safety
32. Email received from Susan Racine, Secretary/Treasurer for the East Northport Fire District, included was a copy of the proposed 2015 budget and a copy of the Notice of Public Hearing to be held on October 21, 2014 at 7:00 PM at the firehouse.
- Supervisor
Town Board
Town Attorney
cc: Comptroller
33. Letter received from William Nimmo, Assistant Superintendent for Business for the Harborfields Central School District, enclosed was a copy of the Financial Plan for Education for the 2014-2015 School Year.
- Supervisor
Town Board
cc: Town Attorney
34. Email received from House Beautiful of Dix Hills Civic Association, on behalf of Cheryl Grossman, advising of their support for Local Law Introductory #42-2014.
- Supervisor
Town Board
Town Attorney
cc: Public Safety
35. Email/Letter received from Paul Levitt, of Vitale and Levitt, PC, legal counsel for the Town of Huntington Housing Authority, regarding the hearing on the proposed rental permit legislation, Chapter 160. Attached was a 69 page document expressing their position.
- Supervisor
Town Board
Town Attorney
cc: Public Safety
36. Email received from Marilyn McDermott regarding the Woodbury Road Study. The writer would like to know when the study will be conducted.
- Town Attorney
cc: Traffic & Transportation

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT EXTENSION WITH GEI CONSULTANTS, INC. FOR CRAB MEADOW HYDROLOGY STUDY AND STEWARDSHIP PLAN

Resolution for Town Board Meeting Dated: October 21, 2014

The following resolution was offered by: Supervisor Petrone
Councilman Cuthbertson
and seconded by: **COUNCILMAN COOK, COUNCILWOMAN BERLAND**

WHEREAS, Town Board Resolution 2013-43 authorized the Supervisor to execute a contract with GEI Consultants, Inc. to conduct a Crab Meadow Watershed Hydrology Study and draft a Stewardship Plan to guide future actions to maintain and enhance the environmental quality of the system and to help mitigate nonpoint pollution impacts; and

WHEREAS, the current expiration date of the contract, RFP Number 2013-01-001, is November 1, 2014 and

WHEREAS, the National Fish and Wildlife Foundation that is providing grant funding for this project, through the Long Island Sound Futures Fund, has authorized an extension of the grant deadline to May 1, 2015; and

WHEREAS, this extension request was made at the request of a partnering organization to fulfill their commitment toward the Town's pledged in-kind match on the grant; and

WHEREAS, the Department of Planning and Environment has recommended extension of the contract, to run concurrently with the grant extension, and GEI Consultants, Inc., 110 Walt Whitman Road, Suite 204, Huntington Station, New York 11746, has agreed to do so at no additional cost to the town; and

WHEREAS, the proposed action to extend the contract is a Type II action pursuant to SEQRA 6 NYCRR §617.5(c)(20) and therefore no further SEQRA review is required.

NOW THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute an extension to the contract with GEI Consultants, Inc., to complete the comprehensive Crab Meadow Watershed Hydrology Study and draft a Stewardship Plan in Northport until May 1, 2015, and upon such terms and conditions as may be acceptable to the Town Attorney, to be charged to Budget Number PL 1997 2103-GT037.

2014-482

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-483

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A REQUIREMENTS CONTRACT FOR TRAFFIC SIGNAL MAINTENANCE WITH JOHNSON ELECTRICAL CONSTRUCTION CORP.

Resolution for Town Board Meeting Dated: October 21, 2014

The following resolution was offered by: COUNCILWOMAN BERLAND

and seconded by: COUNCILMAN COOK

WHEREAS, the Town of Huntington utilizes an outside contractor to provide maintenance for the town's traffic signals. The traffic signal maintenance and requirements contract is for all traffic signals which includes all electrically operated traffic control devices and associated equipment under the jurisdiction of the Town of Huntington. The Contractor shall furnish all transportation, labor, materials, supplies, equipment, tools and appurtenances necessary to ensure that the Town's traffic signals are maintained in good working order;

WHEREAS, sealed bids were received on October 3, 2014, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the traffic signal maintenance and requirements contract Town of Huntington, New York, Contract No. TTTS 2014-01 and the same were opened publicly and read aloud; and

WHEREAS, Johnson Electrical Construction Corp., 263 Caleb's Path Hauppauge, New York 11788 is the lowest responsive, responsible bidder; and

WHEREAS, the traffic signal maintenance is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(1) and (c)(16), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a requirements contract, and any documents in connection and related therewith, with Johnson Electrical Construction Corp. for traffic signal maintenance. The contract period shall be effective for a twelve (12) month period commencing upon execution of the contract and upon mutual agreement of the vendor and the Town, the contract may be extended for two (2) additional one (1) year periods under the same prices, terms and conditions, to be charged to account B3310.4560 and/or TT3397-2775-RS309, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-484

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT FOR THE HAULING OF RESOURCE RECOVERY FACILITY ASH TO THE TOWN OF BROOKHAVEN LANDFILL WITH POWER CRUSH, INC.

Resolution for Town Board Meeting Dated: October 21, 2014

The following resolution was offered by: **COUNCILWOMAN BERLAND**

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town of Huntington has entered into a Solid Waste Disposal Service Agreement ("Service Agreement") with Covanta Huntington, Limited Partnership (the "Facility Operator") for the operation of a municipal solid waste-to-energy facility (the "Resource Recovery Facility"). Under the Service Agreement, the Town reserves the right to contract directly for the transportation and/or disposal of the municipal waste combustion ash ("Residue") generated at the Resource Recovery Facility. Pursuant to an Inter-Municipal Agreement (IMA) with the Town of Huntington, the Town Brookhaven is providing Residue disposal through the end of 2019. Accordingly, the Town of Huntington has solicited bids for the transport of Residue for a period of three years, commencing January 1, 2015. As the Residue is generated at an average rate of 1,700 tons per week, the intent of this procurement is to contract for lawful, timely, safe, reliable and cost competitive hauling services for approximately 85,000 tons of Residue which satisfies the Town's obligations under the Service Agreement and the requirements of the New York State Department of Environmental Conservation (NYSDEC) as well as all applicable local, state and federal laws; and

WHEREAS, sealed bids were received on September 18, 2014 by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the hauling of Resource Recovery Facility ash to the Town of Brookhaven landfill, Bid No. TOH 14-09R-056 and the same were opened publicly and read aloud; and

WHEREAS, Power Crush, Inc., 140 Old Northport Road, Kings Park, New York 11754 is the lowest responsive, responsible bidder; and

WHEREAS, the hauling of ash from the Huntington Resource Recovery Facility to the Town of Brookhaven for disposal is a Type II action pursuant to 6 N.Y.C.R.R. 617.5(c)(20) and (c)(27).

NOW, THEREFORE

THE TOWN BOARD

2014-484

HEREBY AUTHORIZES the Supervisor to execute a contract, and any documents in connection and related therewith, with Power Crush, Inc. for the hauling of Resource Recovery Facility ash to the Town of Brookhaven landfill. The term of this Contract shall commence upon execution of the Contract, but not prior to January 1, 2015, at a cost of \$11.39 per ton and continue until the close of business December 31, 2017 and upon mutual agreement of the vendor and the Town, the contract may be extended for two (2) one-year periods under the specified prices, terms and conditions, to be charged to operating fund A.8170.4001, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-485

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE A REQUIREMENTS CONTRACT FOR HYDRAULIC REPAIRS AND PARTS WITH DEPENDABLE REPAIR INC.

Resolution for Town Board Meeting Dated: October 21, 2014

The following resolution was offered by: COUNCILWOMAN BERLAND

and seconded by: COUNCILMAN COOK

WHEREAS, Federal regulations require annual inspection, testing and certification of Hydraulic Bucket Trucks to assure safe operation and performance and in order to assure safe operation and performance of hydraulic equipment, the Town of Huntington is committed to maintaining safe and efficient vehicles and equipment that utilizes these specialty services; and

WHEREAS, sealed bids were received on September 11, 2014, by the Town of Huntington Director of Purchasing, 100 Main Street, Huntington, New York, for the hydraulic repairs and parts, Bid No. TOH 14-09R-054 and the same were opened publicly and read aloud; and

WHEREAS, Dependable Repair Inc., 18 Ranick Drive West, Amityville, New York 11701 is the lowest responsive, responsible bidder; and

WHEREAS, hydraulic repairs and parts is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(1), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a requirements contract, and any documents in connection and related therewith, with Dependable Repair, Inc. for hydraulic repairs and parts. The contract shall be for a one (1) year period commencing from the date of execution, but not prior to December 20, 2014 upon mutual agreement of the vendor and the Town, the contract may be extended for an additional one (1) year period under the same prices, terms and conditions, to be charged to various operating budgets, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-486

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH RULAND TAX CREDIT LIMITED PARTNERSHIP AND HG HOUSING DEVELOPMENT FUND COMPANY, INC. TO EXEMPT CERTAIN REAL PROPERTY IDENTIFIED AS SCTM NOS. 0400-267-01-(034.002, 034.003, 034.004) FROM REAL ESTATE TAXES AND REQUIRING PAYMENTS IN-LIEU OF TAXES

Resolution for Town Board Meeting Dated: October 21, 2014

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Ruland Tax Credit Limited Partnership (the "Partnership"), a New York limited partnership formed for the purpose of providing residential rental accommodations for qualified persons, is now forming HG Housing Development Fund Company, Inc. under Article XI of the New York Private Housing Finance Law (the "PHFL") and under the New York Not-For-Profit Corporation Law (the "HDFC"), to be a "housing development fund company" as defined in Section 572 of the PHFL; and

WHEREAS, the HDFC will become the bare legal or record owner, and the Partnership is, or will become, the beneficial and equitable owner, of certain real property identified as SCTM Nos. 0400-267-01-(034.002, 034.003, 034.004) (the "Property"); and

WHEREAS, the Partnership will develop, own, and operate a housing facility, anticipated to consist of one hundred seventeen (117) residential units plus one super's unit (collectively, the "Facility"), which will qualify for tax exemption under Section 577 of the PHFL; and

WHEREAS, pursuant to PHFL Section 577, the local legislative body of a municipality may exempt qualifying real property from local and municipal taxes, including school taxes, other than assessments for local improvements, to the extent of all or a part of the value of the property included in the completed project; and

WHEREAS, the Partnership (on behalf of itself and the HDFC) wish to enter into a payment of lieu of taxes ("PILOT") agreement with the Town of Huntington whereby the Partnership and HDFC shall make annual PILOT payments to the Town; and

WHEREAS, the subject action is consistent with the Town Board-adopted rezoning SEQR review for a Type I action that was fully coordinated and issued a Negative Declaration on September 26, 2000 by resolution # 2000-729, as it serves to further the intent of providing the contemplated housing at that location;

NOW, THEREFORE,

2014-486

THE TOWN BOARD, hereby authorizes the Supervisor to execute an agreement with HG Housing Development Fund Company, Inc., c/o Long Island Housing Partnership, 180 Oser Avenue, Suite 800, Hauppauge, New York 11788, and Ruland Tax Credit Limited Partnership, c/o The D & F Development Group, LLC, 100 Schoolhouse Road, Levittown, New York 11756, to exempt the real property identified as SCTM Nos. 0400-267-01-(034.002, 034.003, 034.004) and the housing facility located on it from real property taxes to the extent authorized by Section 577 of the New York Private Housing Finance Law and requiring the making of annual payments in lieu-of taxes, and on such terms and conditions acceptable to the Town Attorney's Office.

VOTE: AYES: 5 NOES: 0 ABSENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXTEND THE AGREEMENT WITH THE COMMISSIONER OF TRANSPORTATION OF THE STATE OF NEW YORK AND THE TOWN OF HUNTINGTON FOR SNOW AND ICE REMOVAL ON STATE HIGHWAYS WITHIN THE BOUNDARIES OF THE TOWN OF HUNTINGTON

Resolution for Town Board Meeting Dated: October 21, 2014

The following resolution was offered by: Supervisor Petrone, COUNCILMAN COOK

and seconded by: COUNCILWOMAN BERLAND

WHEREAS, various business district areas in the Town of Huntington along New York State highways require the removal of plowed snow after snow storms; and

WHEREAS, this removal alleviates road congestion which, if left undone, would interfere with the use of the roadway by vehicles, pedestrians and the adjacent business establishments,

WHEREAS, this action is considered routine or continuing agency administration and management therefore this action is a Type II action pursuant to 6 N.Y.C.R.R.§617.5 (c)(20), therefore no further SEQRA review is required.

NOW THEREFORE,

BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to extend the agreement with the Commissioner of Transportation of the State of New York agreement commencing July 1, 1987 for the 2014/2015 season for the performance by the Town of Huntington of removing snow and ice, if ordered by the State, from State highways within the boundaries of the Town of Huntington for the period July 1, 2014 through June 30, 2015.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE SUPERVISOR TO EXECUTE AMENDMENTS
TO THE TOWN'S COLLECTIVE BARGAINING AGREEMENTS FOR THE
PROVISION OF A RETIREMENT INCENTIVE

Resolution for Town Board Meeting Dated: October 21, 2014

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, an incentive to reduce the workforce through attrition is a fiscally responsible measure at this time; and

WHEREAS, salaries constitute the largest part of non-mandated budget items;
and

WHEREAS, The Town of Huntington, Local 342, Long Island Public Service Employees (L.I.P.S.E.) and Local 852, Town of Huntington Unit, Civil Service Employees Association (CSEA) have agreed that a voluntary retirement incentive is a benefit to employees and would help in reducing personnel costs; and

WHEREAS, The Town wishes to provide its full time employees who have 8 years of continuous full time service and have the attained the age of 55 years by March 31, 2015 with the opportunity of accepting a retirement incentive plan which would provide fully paid lifetime medical insurance coverage to them and their current spouse.

WHEREAS, the provision of an employee retirement incentive is not an action as defined by 6NYCRR §617.2(b) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a amendments to the Supervisory Unit and Blue Collar Unit Agreements between the Town of Huntington and Local 342, L.I.P.S.E. and between the Town of Huntington and Local 852, Town of Huntington Unit, CSEA for the provision of a retirement incentive for full time employees who have 8 years of continuous full time service and have the attained the age of 55 years by March 31, 2015, with the opportunity of accepting an retirement incentive which would provide fully paid lifetime medical insurance coverage to them and their current spouse and upon other such terms and conditions as are acceptable to the Town Attorney.

2014-488

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING NAMED FINANCIAL INSTITUTIONS AS DEPOSITORIES FOR TAX RECEIPTS AND AUTHORIZING THE RECEIVER OF TAXES TO EXECUTE COLLATERAL AGREEMENTS FOR TAX RECEIPT ACCOUNTS ON BEHALF OF THE TOWN OF HUNTINGTON

Resolution for Town Board Meeting Dated: October 21, 2014

The following resolution was offered by: **COUNCILWOMAN BERLAND**

and seconded by: **COUNCILMAN COOK**

WHEREAS, in accordance with Town Law §64(1), the Town Board must designate by resolution, the financial institutions in which Town funds are on deposit; and

WHEREAS, the Receiver of Taxes deposits tax revenue received in the normal course of business with various financial institutions designated by the Town Board; and

WHEREAS, banks doing business with the Town must collateralize all held amounts above the federal depository insured balances with acceptable instruments as defined in General Municipal Law §10 as outlined in the Town's Investment Policy; and

WHEREAS, authorizing financial institutions as depositories and authorizing the execution of collateral agreements is a Type II action pursuant to 6 N.Y.C.R.R. §617.5 (c)(20) and therefore no further SEQRA review is required.

NOW THEREFORE,

THE TOWN BOARD

HEREBY AUTHORIZES the following financial institutions as depositories for tax receipts, JPMorgan Chase Bank, 395 North Service Road, Suite 302, Melville, New York; Valley National Bank, Two Jericho Plaza, Jericho, New York; HSBC Bank USA, 534 Broadhollow Road, Melville, New York; Wells Fargo Bank, 58 South Service Road, Melville; and TD Bank, 45 Melville Park Road, Melville, Community National Bank, 400 Broadhollow Road, Melville, New York pursuant to Town Law 64 (1); and

HEREBY AUTHORIZES the Receiver of Taxes to execute collateral agreements for tax receipt accounts with said banks on behalf of the Town of Huntington.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014 - 491

RESOLUTION AUTHORIZING AN EXTENSION OF TIME TO PAY TAXES FOR THOSE PERSONS GRANTED A SENIOR CITIZEN TAX EXEMPTION AND ENHANCED STAR EXEMPTION PURSUANT TO CHAPTER 178 OF THE CODE OF THE TOWN OF HUNTINGTON

Resolution for Town Board Meeting Dated: October 21, 2014

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN COOK, COUNCILWOMAN BERLAND**

WHEREAS, pursuant to §925-b of the Real Property Tax Laws of the State of New York, the Town Board, by Resolution 1997-589, adopted Local Law No. 20-1997 amending the Code of the Town of Huntington, Chapter 178 (Taxation), Article I (Senior Citizens Tax Exemption and Enhanced Star Exemption) allowing an extension of time to pay taxes of up to five (5) business days; and

WHEREAS, said amendment allows the Town Board to enact a resolution each year prior to the adoption of the final budget of the Town, extending the deadline for payment of taxes without interest or penalty to those residents granted Senior Citizen Tax Exemptions pursuant to the Code of the Town of Huntington, §178-3; and

WHEREAS, said extension of time to pay must comply with deadlines set forth in the Suffolk County Tax Act; and

WHEREAS, the extension of the time to pay taxes for persons granted a Senior Citizen tax exemption and Enhanced Star exemption is not an action as defined by 6 NYCRR §617.2(b) and therefore no further SEQRA review is required.

NOW, THEREFORE, upon the recommendation of the Receiver of Taxes,

THE TOWN BOARD

HEREBY AUTHORIZES an extension of the time to pay taxes without interest or penalty to those residents granted Senior Citizen Tax Exemptions and Enhanced Star Exemptions pursuant to the Code of the Town of Huntington §178-3 to Friday, June 5, 2015.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-492

RESOLUTION AUTHORIZING THE CORRECTION OF CODE VIOLATIONS AT VARIOUS LOCATIONS PURSUANT TO THE CODE OF THE TOWN OF HUNTINGTON

Resolution for Town Board Meeting Dated: October 21, 2014

The following resolution was offered by: **COUNCILWOMAN BERLAND**

And seconded by: **COUNCILMAN COOK**

WHEREAS, violations of the Code of the Town of Huntington and/or the Uniform Codes of the State of New York exist at the locations set forth in Schedule "A", attached hereto and made part of this Resolution, which constitute an attractive nuisance, negatively affect the aesthetic appearance of our neighborhoods, and jeopardize the health and safety of residents in close proximity to these properties; and

WHEREAS, the owner(s) of properties listed in Schedule "A" have failed and/or refused to bring their properties into compliance after a Notice of Violation has been issued by the Department of Public Safety; and

WHEREAS, the correction of code violations by the Town of Huntington is a Type II action pursuant to 6 N.Y.C.R.R. 617.5(c) (33) and, therefore, no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD

HEREBY DIRECTS the Town Attorney to provide each property owner listed in Schedule "A" with a copy of this Resolution, and notice that such violation must be rectified to the satisfaction of the Town within ten (10) days of mailing of the Notice, and upon the failure to remedy the same on a timely basis, the Town shall take all steps necessary to rectify the hazard or nuisance at the property owner's expense; and

HEREBY AUTHORIZES, the Director of the Department of General Services and other Town departments having jurisdiction, to take all actions necessary to correct the violations on these properties upon the failure of the owners to do so, and charge all costs incurred by the Town against the owners of the properties in the same manner and at the same time as real property taxes in accordance with the applicable provisions of the Code of the Town of Huntington or other applicable law.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

Schedule A

Chapter 133, Section 2A of the Code of the Town of Huntington
Authorizing the Removal of Litter and Debris

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
73 West 11 th St. Huntington Sta., NY 11746	0400-142.00-01.00-083.000	Federal National Mortgage Association	09/04/2014	1900 Market St., Ste. 800 Philadelphia, PA 19103
1 Alpine Way Huntington Sta., NY 11746	0400-207.00-01.00-009.000	Hypothecator Realty Corp.	10/14/2014	403 Main St., Ste. 4 Port Washington, NY 11050
9 Beltane Dr. Dix Hills, NY 11746	0400-203.00-02.00-114.000	Joanne Sasaki	09/15/2014	N/A

Chapter 156, Section 45 of the Code of the Town of Huntington
Authorizing the Removal of Stagnant Water

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
1 Alpine Way Huntington Sta., NY 11746	0400-207.00-01.00-009.000	Hypothecator Realty Corp.	10/14/2014	403 Main St., Ste. 4 Port Washington, NY 11050

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Chapter 156, Section 46 of the Code of the Town of Huntington
Authorizing the Removal of Overgrown Weeds and Grass

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
73 West 11th St. Huntington Sta., NY 11746	0400-142.00-01.00-083.000	Federal National Mortgage Association	09/04/2014	1900 Market St., Ste. 800 Philadelphia, PA 19103
1 Alpine Way Huntington Sta., NY 11746	0400-207.00-01.00-009.000	Hypothecator Realty Corp.	10/14/2014	403 Main St., Ste. 4 Port Washington, NY 11050
11 Woodland Ln. Huntington, NY 11743	0400-037.00-02.00-075.003	Gina Insigne	09/15/2014	N/A

Chapter 191, Section 03 of the Code of the Town of Huntington
Authorizing the Securing of an Unsafe Structure

<u>PROPERTY ADDRESS</u>	<u>SCTM#</u>	<u>OWNER</u>	<u>NOV</u>	<u>MAILING ADDRESS</u>
1 Alpine Way Huntington Sta., NY 11746	0400-207.00-01.00-009.000	Hypothecator Realty Corp.	10/14/2014	403 Main St., Ste. 4 Port Washington, NY 11050

RESOLUTION AUTHORIZING THE COMPTROLLER TO AMEND THE 2014 OPERATING BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICTS – VARIOUS DEPARTMENTS

Resolution for Town Board Meeting Dated: October 21, 2014

The following resolution was offered by: **COUNCILWOMAN BERLAND, COUNCILWOMAN EDWARDS**
and seconded by: **SUPERVISOR PETRONE**

WHEREAS, pursuant to Town Board Resolution 2008-569 each position listed below has been evaluated and deemed to be necessary for the continuation of essential Town services and for the safety and welfare of the community; and

WHEREAS, under Section 51 of Town Law, the Town Board of a suburban town shall be the appropriating governing body of said town and shall have and exercise all power and duties as are conferred or imposed upon it and one such power and duty is to approve all budgetary amendments; and

WHEREAS, the elimination of full-time positions, including applicable funding, vacated by retirements and attrition to a general contingency account is not an action as defined 6 N.Y.C.R.R. 617.2(b), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to make the following budgetary amendments to the 2014 Operating Budget as follows:

Create the following positions:

B-3622-1100	Senior Clerk Typist	\$8,176
B-8020-1100	GIS Manager	18,677
DB-5110-1100	Dispatcher	12,423
DB-5110-1100	Heavy Equipment Operator II (Sign Shop)	13,968

Abolish the following positions:

B-3622-1100	Principal Clerk	(\$9,338)
B-8020-1100	GIS Supervisor	(17,351)
DB-5110-1100	Auto Equipment Operator	(12,423)
DB-5110-1100	Maintenance Mechanic III	(13,968)

Reinstate the following position:

A-1410-1100	Clerk Typist	\$6,783
DB-5110-1100	Heavy Equipment Operator II	13,455

2014-493

Adjust the following Appropriations:

A-1990-1100	Contingency	(\$6,783)
B-1990-1100	Contingency	(164)
DB-1990-1100	Contingency	(13,455)

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-494

RESOLUTION AUTHORIZING THE COMPTROLLER TO AMEND THE 2014 OPERATING BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICTS – GENERAL SERVICES

Resolution for Town Board Meeting dated: October 21, 2014

The following resolution was offered by: **COUNCILWOMAN BERLAND**

And seconded by: **SUPERVISOR PETRONE**

WHEREAS, under Section 51 of Town Law, the Town Board of a suburban town shall be the appropriating governing body of said town and shall have and exercise all power and duties as are conferred or imposed upon it; and

WHEREAS, one such power and duty is to approve all budgetary amendments; and

WHEREAS, our General Service vehicle E531 was involved in an auto accident on July 8, 2013 and The Town of Huntington received insurance recoveries for the repair of the vehicle; and

WHEREAS, this is not an action pursuant to SEQRA as defined by 6 NYCRR §617.2(b) and therefore, no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to amend the 2014 Operating Budget for the Town of Huntington and its Special Districts as follows:

Increase the following Revenue

A2680-2680	Insurance Recoveries	\$2,234.53
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Increase the following Expense

A1625-4520	Vehicle Repairs-Supplies	\$2,234.53
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VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE COMPTROLLER TO AMEND THE 2014 OPERATING BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICTS - HIGHWAY DEPARTMENT

Resolution for Town Board Meeting Dated: October 21, 2014

The following resolution was offered by: **COUNCILMAN CUTHBERTSON**

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, the Highway Department has received additional funding from the State of New York Department of Transportation for the Consolidated Local Street and Highway Improvement Program; and

WHEREAS, under Section 51 of Town Law, the Town Board of a suburban town shall be the appropriating governing body of said town and shall have and exercise all power and duties as are conferred or imposed upon it and one such power and duty is to approve all budgetary amendments; and

WHEREAS, this is not an action pursuant to SEQRA as defined by 6 N.Y.C.R.R. 617.2(b) and therefore no further SEQRA review is required; and

NOW, THEREFORE

THE TOWN BOARD

HEREBY AUTHORIZES the Comptroller to amend the 2014 Operating Budget as follows:

Increase the following appropriation:

DB5112-2000 CHIPS \$200,968.69

Increase the following revenue:

DB3501-3501 State Aid CHIPS \$200,968.69

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

- Supervisor Frank P. Petrone **AYE**
- Councilwoman Susan A. Berland **AYE**
- Councilman Eugene Cook **AYE**
- Councilman Mark A. Cuthbertson **AYE**
- Councilwoman Tracey A. Edwards **AYE**

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-496

RESOLUTION AUTHORIZING THE COMPTROLLER TO APPROPRIATE FUNDS FROM THE PARKS & RECREATION CAPITAL IMPROVEMENT RESERVE AND THE TECHNOLOGY RESERVE AND AMEND THE 2014 OPERATING AND CAPITAL BUDGET FOR THE TOWN OF HUNTINGTON AND ITS SPECIAL DISTRICTS FOR THE PURPOSE OF FUNDING THE INSTALLATION OF SURVEILLANCE SYSTEM-DEPARTMENT OF PUBLIC SAFETY

Resolution for Town Board Meeting Dated: October 21, 2014

The following resolution was offered by: Supervisor Petrone, **COUNCILMAN CUTHBERTSON,**
COUNCILWOMAN BERLAND
and seconded by: **COUNCILWOMAN EDWARDS**

WHEREAS, the Town of Huntington is desirous of improving the safety of visitors and employees at Town facilities; and

WHEREAS, under Section 51 of Town Law, the Town Board of a suburban town shall be the appropriating governing body of said town and shall have and exercise all power and duties as are conferred or imposed upon it and one such power and duty is to approve all budgeting amendments; and

WHEREAS, Town of Huntington facilities can be monitored by cameras tied into motion sensors, activating lighting and providing audio communication to potential violators; and

WHEREAS, video monitors will be installed at the Emergency Operation Center enhancing immediate assessment of hazardous conditions at Town Facilities during emergencies, as well as, enhancing routine security programs; and

WHEREAS, the Town Board has appropriated funds to be set aside for the purpose of funding future capital projects from the Parks and Recreation Capital Improvement Reserve Fund and Technology Reserve in accordance with Section 6-c of General Municipal Law; and

WHEREAS, this resolution is adopted subject to permissive referendum as set forth in Town Law Section 90 and shall take effect thirty (30) days after its adoption or, if a referendum is held, upon the affirmative vote of a majority of the qualified electors of the issuer voting on the referendum; and

WHEREAS, the funding of the purchase of surveillance system and amending the operating and capital budget is a Type II action pursuant to 6 N.Y.C.R.R. 617.5 (c) (25) and therefore no further SEQRA review is required.

NOW, THEREFORE

THE TOWN BOARD

2014- 496

HEREBY AUTHORIZES the Comptroller to amend the 2014 Operating and Capital Budget as follows:

Reserves to be appropriated:

A-0878	Reserve for Parks & Recreation	\$59,000
A-0888	Reserve for General Fund Technology	\$88,000
DB-0888	Reserve for Highway Technology	\$39,750

Decrease the following appropriations:

SS19060-8070	Health Insurance	\$13,250
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Increase the following appropriations:

PS3097-2600	Surveillance System	\$200,000
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BE IT FURTHER RESOLVED that this resolution is passed subject to a permissive referendum as set forth in Town Law, Section 90, and shall take effect thirty (30) days after its adoption or, if a referendum is held, upon the affirmative vote of a majority of the qualified electors of the issuer voting on the referendum; and, the Town Clerk is hereby directed within 10 days of adoption of this resolution to post and publish a notice which shall set forth the date of the adoption of the resolution and contain an abstract of such resolution concisely stating the purpose and effect thereof and specifying that such resolution was adopted subject to a permissive referendum.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilwoman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-497

RESOLUTION ADOPTING THE FINDINGS AND DETERMINATIONS OF THE ADMINISTRATIVE HEARING OFFICER AND AUTHORIZING ACTION(S) IN ACCORDANCE WITH HUNTINGTON TOWN CODE CHAPTER 156 PROPERTY MAINTENANCE; NUISANCES, ARTICLE VII, BLIGHTED PROPERTY, §156-67, ACTION BY TOWN BOARD FOR FAILURE TO COMPLY OR ABATE VIOLATIONS

Resolution for Town Board Meeting dated: October 21, 2014

The following resolution was offered by: Councilwoman Berland

and seconded by: **COUNCILMAN COOK**

WHEREAS, by prior resolutions the Town Board has designated various properties as blighted and to be public nuisances; and

WHEREAS, the property owners listed on Schedule "A" to this Resolution have received notices and have been given opportunities to be heard and to exercise their due process rights to object to the actions proposed to be taken by the Town or to correct the blight and nuisance conditions on their property; and

WHEREAS, the property owners entered into a Restoration Agreement with the Town but failed to take steps to remedy the conditions of blight upon their property and have been evaluated and considered for further action(s) to be taken at a public hearing and were referred by the Town Board to a hearing before an Administrative Hearing Officer; and

WHEREAS, after conducting Administrative Hearings on September 5, 2014, and hearing testimony and evidence, the Administrative Hearing Officer has rendered findings and determinations which are attached hereto as Schedule "B"; and

WHEREAS, the Town Board wishes to adopt the findings and determinations of the Administrative Hearing Officer and to authorize the actions recommended by the Administrative Hearing Officer; and

WHEREAS, pursuant to its authority under §64 and §130 of New York State Town Law, Municipal Home Rule Law §10, New York Executive Law §382 and the Code of the Town of Huntington, the Town Board wishes to authorize certain actions to remedy blight conditions; and

WHEREAS, the adoption of findings and determinations of an Administrative Hearing Officer and authorization of action(s) to remedy blight conditions upon properties within the Town of Huntington is a Type II action pursuant to 6 N.Y.C.R.R. §617.5(c)(29) and therefore no further SEQRA review is required.

2014-497

NOW THEREFORE,

THE TOWN BOARD

HEREBY ADOPTS the findings and determinations contained in the attached Schedule "B"; and

HEREBY DIRECTS the Town Attorney's Office to provide a copy of this Resolution and its attachments to the subject property owners and notify them of the actions to be taken and the charges to be assessed on their Real Property Tax Bill; and

HEREBY DIRECTS the Director of General Services to carry out the recommended actions of the Administrative Hearing Officer as directed by the Town Attorney and to provide a record of all costs incurred in carrying out said actions to the Town Attorney's Office; and

HEREBY DIRECTS the Receiver of Taxes to assess all costs and expenses associated with the measures authorized by this Resolution upon the Real Property Tax Bills of the subject property, upon receipt of such costs and expenses from the Town Attorney's Office; and

FURTHER DIRECTS the Town Attorney to provide ten (10) days prior notice to the property owners of the property listed on Schedule "A" to this Resolution that structure(s) upon their property are being scheduled for demolition at their sole expense.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

**ADOPTING THE FINDINGS AND DETERMINATIONS OF
THE ADMINISTRATIVE HEARING OFFICER AND AUTHORIZING ACTION**

PREVIOUS EXHIBIT	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	ADMINISTRATIVE HEARING DATE
103	4 Carriage Court Dix Hills	0400-262.00-01.00-145.000	Nicholas D'Onofrio Linda D'Onofrio 194 Smith Street Deer Park, NY 11729	9/5/2014

TOWN OF HUNTINGTON

Eric Sachs
Administrative Law Judge

Hearing held on
September 5, 2014

Findings and Disposition regarding 4 Carriage Court, Dix Hills, New York 11746

This is an action brought by the Town of Huntington under the Blight Law and the Code of the Town of Huntington, to deem 4 Carriage Court, Dix Hills, a Blighted Property and to take action thereunder.

I find that all appropriate notices were given to all the parties in interest. The property owners are represented by Peter Geirer, Esq. who appeared. No other parties in interest appeared in person or by counsel, nor have they requested an adjournment of this matter.

I find that under the Blight Law, the Town of Huntington properly noticed the property owners and all parties in interest, of the condition of the property and that the appropriate time limit was given to correct the conditions. I further find that the property owners have failed to remedy the condition. I find that the Town of Huntington has met its burden under the Blight Law and deem the premises as blighted. Accordingly, IT IS HEREBY RECOMMENDED THAT;

The large structure behind the house, 2 car garage or stables be demolished and that all material from such demolition be cleaned and cleared away. IT IS FURTHER RECOMMENDED;

The shed and any other minor structure not attached to the main structure be demolished and the material from such demolition be cleaned and cleared away. IT IS FURTHER RECOMMENDED;

The decorative pillars on the house which are no longer attached nor supporting the main structure be removed. IT IS FURTHER RECOMMENDED;

The grass be cut and a general cleanup of the property be conducted so as to make the property blend with the houses in the immediate vicinity and not further devalue the property of the neighborhood.

The Town is authorized to place the costs and charges of the above on the Real Property Tax Bill of the subject premises.

The Town should take the appropriate steps to safeguard and make the lot safe from the general public.

ERIC SACHS
Administrative Law Judge

SCHEDULE B

2014-498

RESOLUTION ACCEPTING THE DONATION OF A PLAQUE AND STONE FROM
ARTHUR GOLDSTEIN MEMORIAL COMMITTEE AT CRAB MEADOW BEACH
IN MEMORY OF ARTHUR GOLDSTEIN, ESQ.

Resolution for Town Board Meeting Dated: October 21, 2014

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN COOK**

WHEREAS, Arthur Goldstein, Esq. served the Town of Huntington with distinction as Town Attorney and Deputy Town Attorney; and

WHEREAS, Arthur Goldstein, Esq., also served with distinction as a legal advisor to the South Huntington Public Library and Touro Law School; and

WHEREAS, Arthur Goldstein, Esq. dedicated himself to helping the Huntington community and the Long Island Community at large in many ways, including as Founder of the Huntington Narcotics Guidance Council, serving in leadership positions at the Huntington Chamber Foundation, the Heckscher Museum and the Huntington YMCA, and working tirelessly to help create the Gurwin Jewish Geriatric Center and the Dolan Family Health Center; and

WHEREAS, in honor of Arthur Goldstein Esq.'s public service, legal scholarship, philanthropy and humanitarianism, the Town and the Arthur Goldstein Memorial Committee, which is composed of his former colleagues, wish to dedicate a plaque and stone to him in the garden at Crab Meadow Beach; and

WHEREAS, the stone and plaque are being donated to the Town by the Arthur Goldstein Memorial Committee; and

WHEREAS, the acceptance of the donation and a plaque is not an action as defined by 6 N.Y.C.R.R. Section 617.2(b), and therefore no further SEQRA review is required.

NOW, THEREFORE,

THE TOWN BOARD

HEREBY ACCEPTS the donation of a stone and plaque from the Arthur Goldstein Memorial Committee to be placed in the garden at Crab Meadow Beach in honor of Arthur Goldstein, Esq.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-499

RESOLUTION ACCEPTING A DONATION FROM F&W SCHMITT'S FAMILY FARM FOR THE DONATION OF TWENTY (20) LARGE MUMS TO THE TOWN OF HUNTINGTON SENIOR CENTER, NUNC PRO TUNC,

Resolution for Town Board Meeting Dated: October 21, 2014

The following resolution was offered by: Councilwoman Edwards

and seconded by: **COUNCILMAN COOK, COUNCILWOMAN BERLAND**

WHEREAS, the Town of Huntington will be hosting a free raffle for a giveaway at the Senior Center, 423 Park Avenue, Huntington, on July 25, 2014; and

WHEREAS, F&W Schmitt's Family Farm made a generous donation of twenty large mums; and

WHEREAS, the acceptance of a donation of is not an action as defined by 6 N.Y. C.R.R. 617.2 (b) and therefore no further SEQRA review is required.

NOW, THEREFORE,

THE TOWN BOARD,

HEREBY ACCEPTS a donation of twenty (20) large mums for the seniors of the Town of Huntington, nunc pro tunc, and expresses its sincere gratitude to F&W Schmitt's Family Farm for their generosity.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014 - 500

RESOLUTION AMENDING TOWN BOARD RESOLUTION 2014-459, TO
CORRECT A SCRIVENER'S ERROR

Resolution for Town Board Meeting Dated: October 21, 2014

The following resolution was offered by: **COUNCILWOMAN BERLAND**

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, Resolution 2014-459 appointed Dominic P. Feeney, Jr., of 21 Kallenberger Drive, Melville, NY 11747, to the unexpired term of Thomas Jerideau, indicating an expiration date of 9/30/2015; and

WHEREAS, the correct expiration date for the Jerideau term was 9/30/2019 and Resolution 2014-459 should have reflected the 9/30/2019 date; and

WHEREAS, the above action is not an action as defined by 6 N.Y.C.R.R. §617.2(b) and, therefore, no further SEQRA review is required.

NOW, THEREFORE,

THE TOWN BOARD,

HEREBY confirms that the appointment of Dominic P. Feeney, Jr. is for the entire unexpired term of Thomas Jerideau, ending September 30, 2019, and Resolution 2014-459 is hereby corrected accordingly.

VOTE: AYES: 5 NOES: 0 ABSENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION CLASSIFYING AMENDED ROUND 8 SUFFOLK COUNTY DOWNTOWN REVITALIZATION GRANT PROJECT PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT AND AUTHORIZING THE SUPERVISOR TO RECEIVE GRANT FUNDING IN CONNECTION WITH SAME GRANT PROGRAM

Resolution for Town Board Meeting Dated: October 21, 2014

The following resolution was offered by: Frank P. Petrone

and seconded by : **COUNCILWOMAN BERLAND**

WHEREAS, through the Suffolk County Downtown Revitalization Program, the County of Suffolk participates with local governments in the development, support and funding of projects located in Suffolk County that will have an important and sustainable impact on downtowns and business districts; and

WHEREAS, the County of Suffolk requires a SEQRA analysis from the sponsoring municipality for all projects that have been selected for grant funding; and

WHEREAS, the Town of Huntington Economic Development Corporation applied for and received a grant under Round 8 of this program to micro-pave and stripe the May Street municipal parking lot in Huntington Station; and

WHEREAS, it has been necessary to amend the Round 8 project scope to instead install new brick sidewalk and curbing at the southeast corner of Broadway/New York Avenue immediately adjacent to the rainwater harvesting garden at Huntington Train Station; and

WHEREAS, this grant project is classified Type II pursuant to SEQRA 6 NYCRR 617.5(c) (1) and (c) (2), thus, no further review is required;

NOW THEREFORE

THE TOWN BOARD

HEREBY CLASSIFIES the Town of Huntington Economic Development Corporation Round 8 capital improvement project as a Type II action pursuant to the State Environmental Quality Review Act; and

HEREBY AUTHORIZES the Comptroller to amend the Town's Operating and/or Capital Budgets to receive grant funding in connection with Suffolk County Downtown Round 12, as necessary, upon execution of all required documentation, not to exceed the amount awarded and the applicant's share of funding required, if applicable.

2014-501

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION CLASSIFYING UNDER NEW YORK STATE ENVIRONMENTAL
QUALITY REVIEW ACT A JUMP START SUFFOLK COUNTY GRANT PROJECT

Resolution for Town Board Meeting Dated: October 21, 2014

The following resolution was offered by Supervisor Petrone

and seconded by : **COUNCILWOMAN BERLAND**

WHEREAS, the Town Board is desirous of supporting the economic vibrancy of its transportation hubs in the Town of Huntington; and

WHEREAS, the Jump Start Suffolk County Grant Program was created to assist, in part, public/private partnerships that seek to redevelop communities surrounding transportation hubs; and

WHEREAS, Jump Start Suffolk County has identified the Lowndes Avenue-Railroad Street road realignment/reconstruction project within the larger Huntington Station redevelopment effort as an eligible project for funding under its program; and

WHEREAS, the County of Suffolk requires a SEQRA analysis from the municipality of a Jump Start Suffolk County-funded project; and

WHEREAS, upon the County's approval of a Jump Start-funded project, the Town would be required to enter into an intermunicipal agreement with the County pursuant to which the Town of Huntington would be required to procure and oversee the project while the County would be responsible for providing financing for all or part of the cost of the project; and

WHEREAS, in order to access Jump Start Suffolk County financing for all or part of funded projects, the County of Suffolk must further obtain from the Town a leasehold, easement or other real property interest in the site of funded improvements on Town property; and

WHEREAS, the Lowndes Avenue-Rail Road Street realignment/reconstruction project is classified as Type II pursuant to SEQRA 6 NYCRR 617.5(c) (2 & 4), and execution of required documents in connection therewith is not an action as defined by 6 NYCRR §617.2 (b), and therefore no further SEQRA review is required.

NOW, THEREFORE BE IT RESOLVED, that the Town Board

HEREBY CLASSIFIES the Lowndes Avenue-Rail Road Street realignment/reconstruction project as a Type II action pursuant to SEQRA 6 NYCRR 617.5(c) (2 & 4), and further

2014-502

HEREBY AUTHORIZES the Supervisor to accept grant funding, and sign any and all documents in connection with this project funded under the Jump Start Suffolk County program, including but not limited to the required lease easement/lease documents and an inter-municipal agreement and upon such terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION DONATING TWO (2) SURPLUS GEM ELECTRIC CARTS TO THE SOUTH HUNTINGTON SCHOOL DISTRICT TO BE USED FOR SCHOOL DISTRICT PURPOSES

Resolution for Town Board Meeting Dated: October 21, 2014

The following resolution was offered by: **COUNCILWOMAN EDWARDS**

and seconded by: **COUNCILWOMAN BERLAND**

WHEREAS, TBR 2014-318 declared two (2) surplus and/or obsolete Gem electric carts; and

WHEREAS, the South Huntington School District indicated to the Town of Huntington that they require these carts for school district operations; and

WHEREAS, the subject of this resolution is not an action as defined by 6 N.Y.C.R.R. 617. 2(b) and therefore no further SEQRA review is required.

NOW, THEREFORE BE IT

RESOLVED, that the Town Board hereby donates two (2) surplus Gem Electric Carts (VIN #'s: 5ASAG27452F024438 and 5ASAG27482F024465) to the South Huntington School District, 60 Weston Street, Huntington Station, NY 11746-4098, to be used for school district purposes.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION GRANTING PERMISSION TO THE COLD SPRING HARBOR MAIN STREET ASSOCIATION TO SPONSOR ITS EIGHTH ANNUAL "HOWL-WEEN" CANINE COSTUME PARADE & HOWLING HOUND DOGGIE HALLOWEEN PARTY & SIDEWALK SALE EVENT AND FOR USE OF TOWN-OWNED PARKING LOT ON SATURDAY, OCTOBER 18, 2014 (Raindate: October 19, 2014), NUNC PRO TUNC

Resolution for Town Board Meeting Dated: October 21, 2014

The following resolution was offered by: **COUNCILMAN CUTHBERTSON**

and seconded by: **COUNCILWOMAN EDWARDS**

WHEREAS, the Cold Spring Harbor Main Street Association is sponsoring its 8th annual "Howl-ween" Canine Costume Parade & Howling Hound Doggie Halloween Party & Sidewalk Sale event on Saturday, October 18, 2014 from 12 noon until 4:00 p.m. (Raindate: Sunday, October 19); and

WHEREAS, the annual "Howl-ween" Canine Costume Parade & Howling Hound Doggie Halloween Party & Sidewalk Sale event is organized to promote enjoyment of the historic Cold Spring Harbor downtown area and its boutique shops and restaurants; and

WHEREAS, permission is requested for outdoor display of merchandise for the sidewalk sale, amplified music, dogs on leash in the Cold Spring Harbor and a small luxury classic car show in the Municipal Lot # 11; and

WHEREAS, for the event's canine costume parade, organizers shall secure a permit from New York State Department of Transportation for a brief road closure (from 12:00 noon. to 12:15 p.m.) of 25A/Main Street between Spring Street and Cold Spring Harbor Park; and

WHEREAS, granting permission for this event is a Type II action pursuant to 6 NYCRR §617.5 (c) (15), and therefore no further SEQRA review is required.

NOW, THEREFORE THE TOWN BOARD

HEREBY GRANTS permission to the Cold Spring Harbor Main Street Association to sponsor its eighth annual "Howl-ween" Canine Costume Parade & Howling Hound Doggie Halloween Party & Sidewalk Sale event and for use of Municipal Lot # 11 on Saturday, October 18, 2014 from 12 noon until 4:00 p.m. (Raindate: Sunday, October 19).

VOTE: AYES: 5 NOES: 5 ABSTENTIONS: 5

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION URGING THE SUFFOLK COUNTY LEGISLATURE AND COUNTY EXECUTIVE TO ENACT THE RESOLUTIONS COMPRISING THE "HELPING OUR HOMELESS HEROES ACT" SPONSORED BY LEGISLATOR STEVE STERN

Resolution for Town Board Meeting Dated: October 21, 2014

The following resolution was offered by: Supervisor Petrone

And seconded by: COUNCILMAN COOK, COUNCILWOMAN BERLAND

WHEREAS, Suffolk County has the largest number of Veterans in New York State, including one of the largest populations of homeless veterans in the State; and

WHEREAS, Suffolk County and its Towns, especially Huntington, have a strong tradition of caring for the needs of its veterans; and

WHEREAS, the Suffolk County Legislature has before it three resolutions (1836-2014, 1837-2014 and 1838-2014) introduced by Legislator Steve Stern under the umbrella caption of The Housing Our Homeless Heroes Act that address the situation by protecting veterans from housing discrimination, providing additional housing resources and improving outreach efforts to help homeless veterans, their families and those at risk of homelessness get back on the street; and

WHEREAS, these measures will benefit Huntington veterans and augment the Town's efforts to provide services veterans need and deserve; and

WHEREAS, supporting this proposed Act is not an action as defined by 6 N.Y.C.C.R.R. §617.2(b) and, therefore, no further SEQRA review is required.

NOW, THEREFORE,

THE TOWN BOARD

HEREBY URGES the Suffolk County Legislature and the Suffolk County Executive to enact resolutions 1836-2014, 1837-2014 and 1838-2014, comprising the Helping Our Homeless Heroes Act; and

HEREBY DIRECTS the Town Clerk to forward certified copies of this resolution to County Executive Steve Bellone, Suffolk Legislature Presiding Officer DuWayne Gregory and the Huntington legislative delegation: Lou D'Amaro, Dr. William Spencer, Steve Stern and Robert Trotta.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2014-506

ENACTMENT: APPROVE A LICENSE AGREEMENT FOR THE USE OF A PORTION OF TOWN OF HUNTINGTON LAND IDENTIFIED AS SCTM 0400-031.00-01.00-002.002 WITH 95 NEW YORK AVENUE, LLC AND PRIME EVENTS INC. D/B/A THE HARBOR CLUB

Resolution for Town Board Meeting Dated: October 21, 2014

The following resolution was offered by: **COUNCILWOMAN EDWARDS**

and seconded by: **SUPERVISOR PETRONE**

WHEREAS, the Town of Huntington is the owner of certain real property known as SCTM 0400-031.00-01.00-002.002 located on New York Avenue in Halesite, NY which land is adjacent to 95 New York Avenue, Huntington NY; and

WHEREAS, 95 New York Avenue, LLC, as property owner, and Prime Events, Inc. d/b/a The Harbor Club, as tenant, (Licensees) are adjoining property owners and tenants of property identified as SCTM 0400-031.00-01.00-003.000 and are using a portion of Town land and the Town of Huntington desires to enter into a License Agreement with Licensees for the use of said land, specifically the license to use the south western portion comprised of 1,648 square feet as described in the License Agreement which is a garden area behind The Harbor Club; and

NOW, THEREFORE,

THE TOWN BOARD, having held a public hearing on the 16th day of September, 2014 to consider granting a license agreement to 95 New York Avenue, LLC and Prime Events, Inc. d/b/a Harbor Club at Prime to utilize a portion of Town of Huntington land;

HEREBY APPROVES

The execution of a license agreement with 95 New York Avenue, LLC, as property owner, and Prime Events, Inc. d/b/a The Harbor Club, as tenant, (Licensees), with regard to the use of a portion of Town land, specifically the south western portion comprised of 1,648 square feet as described in the License Agreement which is a garden area behind The Harbor Club. Minor encroachments by the Town onto Licensee's property will be resolved by the proposed License Agreement.

Such License Agreement shall be for a term commencing upon the execution and delivery of said License Agreement and will terminate on December 31, 2033, unless extended by the mutual consent of each of the parties in writing. The annual license fee shall be EIGHT THOUSAND THREE HUNDRED AND NO/100 DOLLARS (\$8,300.00), as determined by Brunswick Appraisal Services and which annual license fee shall increase by two percent (2%) each year and will be subject to other terms and conditions as may be acceptable to the Town Attorney.

2014-506

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracy A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2014-507

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 35-2014
AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON,
CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.

RE: LOCUST LANE, BAYBERRY ROAD, EATONS NECK – STOP SIGN

Resolution for Town Board Meeting dated: October 21, 2014

The following resolution was offered by: **COUNCILMAN CUTHBERTSON**

and seconded by: **COUNCILMAN COOK**

THE TOWN BOARD having held a public hearing on the 16th day of September, 2014 at 2:00 p.m. to consider adopting Local Law Introductory No. 35-2014 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE IV, §2-7, SCHEDULE G., and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 35-2014 amending the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE IV, §2-7, SCHEDULE G.; as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON, AS FOLLOWS:

LOCAL LAW NO. 35 - 2014
AMENDING THE TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.

Section 1. Amendment to the Uniform Traffic Code of the Town of Huntington, Chapter 2, ARTICLE IV, §2-7, SCHEDULE G.; as follows:

2014-507

UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 2, ARTICLE IV, §2-7, SCHEDULE G.

	<u>SIGN ON</u>	<u>SIGN</u>	<u>DIRECTION</u>	<u>AT</u>
ADD:	Locust Lane (ETN)	STOP	<u>OF TRAVEL</u> NORTH/SOUTH	<u>INTERSECTION OF:</u> Bayberry Road
	Locust Lane (ETN)	STOP	SOUTH	Cherrylawn Lane
	Bayberry Road (ETN)	STOP	WEST/EAST	Locust Lane
DELETE:	Bayberry Road (ETN)	STOP	WEST	Locust Avenue

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section, or other part of this local law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair or invalidate the remainder of this local law, and it shall be construed to have been the legislative intent to enact this local law without such unconstitutional or invalid parts therein.

Section 3. Effective Date.

This local law shall take effect immediately upon filing in the Office of the Secretary of the State of New York.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone **AYE**
Councilwoman Susan A. Berland **AYE**
Councilman Eugene Cook **AYE**
Councilman Mark A. Cuthbertson **AYE**
Councilwoman Tracey A. Edwards **AYE**

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

2014 - 508

ENACTMENT: ADOPT LOCAL LAW INTRODUCTORY NUMBER 36-2014
AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON,
CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.
RE: BROADWAY, HUNTINGTON STATION - PARKING RESTRICTIONS

Resolution for Town Board Meeting dated: October 21, 2014

The following resolution was offered by: **COUNCILMAN CUTHBERTSON**

and seconded by: **COUNCILMAN COOK**

THE TOWN BOARD having held a public hearing on the 16th day of September, 2014 at 2:00 p.m. to consider adopting Local Law Introductory No. 36-2014 amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, ARTICLE II, §3-3, SCHEDULE J., and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 36-2014 amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, ARTICLE II, §3-3, SCHEDULE J.; as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON, AS FOLLOWS:

LOCAL LAW NO. 36 - 2014
AMENDING THE TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

Section 1. Amendment to the Uniform Traffic Code of the Town of Huntington, Chapter 3, ARTICLE II, §3-3, SCHEDULE J.; as follows:

UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

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<u>NAME OF STREET/SIDE LOCATION</u>	<u>REGULATION</u>	<u>HOURS/DAYS</u>
DELETE: Broadway/North From 700 ft. west of Highview Ave. to 165 ft. east of New York Ave. (Rt. 110) (HUS)	No Parking	12:00 midnight to 4:00 a.m., Wed.

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section, or other part of this local law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair or invalidate the remainder of this local law, and it shall be construed to have been the legislative intent to enact this local law without such unconstitutional or invalid parts therein.

Section 3. Effective Date.

This local law shall take effect immediately upon filing in the Office of the Secretary of the State of New York.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

ENACTMENT: ADOPT LOCAL INTRODUCTORY NO. 37 - 2014, AMENDING THE CODE OF THE TOWN OF HUNTINGTON, CHAPTER 198 (ZONING), ARTICLE I (GENERAL PROVISIONS) AND ARTICLE VI (HISTORIC LANDMARKS AND DISTRICTS).

Resolution for Town Board Meeting Dated: October 21, 2014

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN BERLAND, COUNCILMAN COOK**

WHEREAS, the proposed revision to the Zoning Code is a Type II action in accordance with SEQRA, 6 NYCRR Part 617.5(c)(20 & 27), requiring no further review; and

THE TOWN BOARD having held a public hearing on the 16th day of September, 2014 at 2:00 p.m. to consider adopting Local Law Introductory No. 37-2014, to consider amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article I (General Provisions) and Article VI (Historic Landmarks and Districts), and due deliberation having been had,

HEREBY ADOPTS

Local Law Introductory No. 37-2014, amending the Code of the Town of Huntington, Chapter 198 (Zoning), Article I (General Provisions) and Article VI (Historic Landmarks and Districts), as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON, AS FOLLOWS:

LOCAL LAW NO: 37 -2014

AMENDING THE CODE OF THE TOWN OF HUNTINGTON
CHAPTER 198 (ZONING) ARTICLE I (GENERAL PROVISIONS) AND
ARTICLE VI (HISTORIC LANDMARKS AND DISTRICTS)

Section 1. Amendment to the Code of the Town of Huntington, Chapter 198 (Zoning), Article I (General Provisions) and Article VI (Historic Landmarks and Districts); as follows:

CHAPTER 198 (ZONING)
ARTICLE I (GENERAL PROVISIONS)

* * *

§198-2. Definitions and word usage.

* * *
HISTORIC DISTRICT - A designated historic area within defined geographic boundaries containing multiple properties which contains one (1) or more historic landmarks and may also contain some non-contributing structures, where the collection of multiple properties or the inclusion of certain parcels of land contributes to and reinforces the historic, architectural, and/or aesthetic characteristics of individual historic landmarks and the historic district as a whole.

* * *
HISTORIC LANDMARK OR SITE - A parcel of land, whether or not developed, including its topographical features, earthworks and landscaping, or a structure designated as a "historic landmark".

* * *
NON-CONTRIBUTING STRUCTURE - A structure in a historic district or on property designated as a historic landmark which does not possess historic, architectural or aesthetic significance on its own but by its location or design may impact historic landmarks around it.

* * *
STRUCTURE –

(1) Anything constructed or erected which requires location on the ground or attachment to something having a location on the ground, without limitation, including signs. A "structure" shall include fences more than six (6) feet in height and retaining and freestanding walls more than four (4) feet in height.

(2) For the purpose of Article VI of this Chapter, the term "structure" shall include anything constructed or erected, the use of which requires permanent or temporary location on or in the ground, including but not limited to objects, buildings, outbuildings, fences, decks, statuary, pillars, columns, steps, stairways, gazebos, walls, sidewalks, walkways, pavements, signs, billboards, towers, swimming pools and other objects or improvements.

* * *
ARTICLE VI (HISTORIC LANDMARKS AND DISTRICTS)

§198-40. Legislative intent [; definitions].

[A.] The Town of Huntington was founded in 1653 and is rich in historical, architectural and cultural resources. It is the intention of the Huntington Town Board to preserve the Town's heritage by establishing a policy which will protect, enhance and perpetuate scenic landmarks, historic sites, structures and buildings; promote economic growth by attracting visitors to the community; enhance the cultural, educational and general welfare of the public; foster pride in the accomplishments of the past; and ensure the harmonious, orderly and efficient growth and development of the Town.

* * *
[B.] [For the purpose of this article the following phrases shall have the following meanings:]

[HISTORIC DISTRICT] - [A designated area, small or large, which contains within definable geographic boundaries one (1) or more historic landmarks and which may have within its boundaries other properties or structures that, while not of such historic and/or architectural and/or aesthetic significance or interest to be designated as landmarks, nevertheless contribute to the overall visual characteristics of the landmark or landmarks located within the historic district.]

[HISTORIC LANDMARK OR HISTORIC SITE] - [A parcel of land, whether or not developed, including its topographical features, earthworks and landscaping, or a structure designated as a "historic landmark" by action of the Town Board pursuant to this article.]

[PROPERTY OWNER] - [A person or business entity having an ownership interest in and to a parcel of land and/or structure.]

[STRUCTURE] - [Anything constructed or erected, the use of which requires permanent or temporary location on or in the ground, including but not limited to objects, buildings, outbuildings, fences, decks, statuary, pillars, columns, steps, stairways, gazebos, walls, sidewalks, walkways, pavements, signs, billboards, towers, swimming pools and other objects or improvements.]

* * *
§198-40.2. Historic Preservation Commission.

* * *
D. Powers and duties. The Commission shall:

* * *
(3) Study all applications for the certificates of approval required under §198-[42] 41 of this article and issue written reports, decisions and/or recommendations stating the reasons for the determination or recommendation in compliance with the stated purpose of this article, including a recommendation on any restriction or condition that should be established as a condition of approval.

* * *
§198-41. Certificate of approval required; procedure.

A. Certificate of approval required; intent.

(1) Prohibition. No work shall be commenced and no Town department or Board shall grant, issue or release a building permit or other approval to erect, construct, reconstruct, repair, restore, renovate, rehabilitate or alter a structure designated as a historic landmark, or any structure within a historic district if it will change the exterior design or scenic or aesthetic appearance thereof unless a certificate of approval has been granted by the Town Board or Historic Preservation Commission, as the case may be; and no improvement or structure designated as a historic landmark or located within a district shall be moved, demolished or razed, in whole or in part, unless such certificate of approval has been approved. The provisions of this section shall apply equally to open spaces or parcels of land designated as historic landmarks or located within historic districts including any change or alteration to their aesthetic appearance, or topographical features, earthworks, streetscape and/or landscape. An owner, occupier or person with an interest in a historic landmark, or in any open space, parcel of land, place or structure within a historic district who causes, permits and/or allows any act prohibited by this section shall be in violation thereof, and in addition to any other penalty imposed be required to restore the open space, parcel of land, place or structure to its appearance prior to the violation.

* * *

(4) This article is not intended to prevent the erection, construction, reconstruction, restoration, rehabilitation, repair, alteration or demolition of any part of an existing exterior feature, or facade which, in the opinion of the Director of Engineering Services or his designee, presents an immediate safety hazard and requires immediate emergency repair to preserve the historic landmark; or the open space or structure within a historic district; or to safeguard the health and safety of occupants or other persons. The term "emergency repair" shall not include major replacements/repairs, and is limited to the work necessary to stabilize the historic landmark; or the open space or structure within a historic district; or to protect the safety of occupants or the public. No additional work is to be performed until a certificate of approval has been requested by the applicant and granted by the Town Board or Historic Preservation Commission, and all other required approvals and permits are obtained.

* * *

B. [An application for a certificate of approval shall not be accepted for filing by the Department of Engineering Services unless it is complete and accompanied by all required documents. An application fee in an amount determined by the Department of Engineering Services shall be payable at the time of application.] Blighted properties. Where a structure which has been designated as a historic landmark or is located within a historic district has been determined to be blighted and is being processed for non-compliance pursuant to §156-67 of the Town Code (Blighted Properties), the Town Attorney shall notify the Huntington Historic Preservation Commission of such action. The Commission shall act in an advisory capacity and shall submit its written findings and recommendations to the Town Board, Town Clerk, Department of Engineering Services, Town Attorney and property owner or person-in-charge of the property within forty-five (45) days of receipt of such notification. In the event the Town Board orders

remedial work to be performed including demolition of a structure, it shall first consider the Commission's findings and may accept or reject, in whole or in part, with or without conditions any portion thereof. The Board may simultaneously approve the issuance of a Certificate of Approval for any work that is ordered if same is applicable. The provisions of this section shall apply equally to open spaces or parcels of land designated as historic landmarks or located within historic districts including any change or alteration to their aesthetic appearance, or topographical features, earthworks, streetscape and/or landscape.

C. Application. An application for a certificate of approval shall not be accepted for filing by the Department of Engineering Services unless it is complete and accompanied by all required documents. An application fee in an amount determined by the Department of Engineering Services shall be payable at the time of application. Each applicant shall submit an original and four (4) copies of a fully completed application form; five (5) sets of original plans and specifications of the work to be done; and five (5) sets of such other documentation deemed necessary by the Department of Engineering Services. The Department shall forward one (1) copy of the application form, an original set of plans and specifications and one (1) copy of each additional document submitted by the applicant to the Historic Preservation Commission for its review. The Historic Preservation Commission shall initially review the application to determine whether Town Board review in accordance with §198-41 (D), (E) & (F) is required. In all cases, the application shall be reviewed by the Town Board unless it clearly meets one of the following exceptions, in which case it shall be reviewed by the Historic Preservation Commission in accordance with §198-41(K).

- (1) Additions to a historic structure, as long as the structure as it existed on October 21, 2014 comprises at least 80% of the square footage of the completed structure, as determined by the Director of Engineering in his sole discretion. The burden of proof shall be on the applicant to prove that the standard has been met.
- (2) Partial demolition of a historic structure, as long as at least 75% of the square footage of the structure as it existed on October 21, 2014 remains in tact, as determined by the Director of Engineering in his sole discretion. The burden of proof shall be on the applicant to prove that the standard has been met.
- (3) Additions to non-contributing structures.
- (4) Demolition of non-contributing structures.
- (5) The construction of new structures on non-contributing properties in a historic district.
- (6) Moving any structure to a new location on the same property or to another property.
- (7) Installation of a swimming pool, hot tub, solar panels, decks, sheds of 200 sq. ft. or less, and fences (where a building permit is required).
- (8) Construction of accessory structures up to 200 square feet in size.

D. The Huntington Historic Preservation Commission, except as noted in (C) above, shall act in an advisory capacity to the Town Board and shall submit its written findings and recommendations to the Town Board, Town Clerk, Department of Engineering Services, Town Attorney and applicant within ninety (90) days of the date of its receipt of an application for a certificate of approval. The Commission's report shall describe the extent to which the proposed work meets the criteria in §198-41(G), (H) and/or (I). If the recommendation is for disapproval or approval with conditions, the Commission shall also state its reasons for such disapproval or conditioned approval of the work and may include suggested changes to the plan which if implemented would be accepted by the Commission.

*

*

*

K. Building permit applications that do not have to be reviewed by the Town Board pursuant to §198-41(C) will be required to obtain certificates of approval from the Historic Preservation Commission. Public hearings will not be held, and applications may be approved or denied, in whole or in part, by the vote of a simple majority of the Commission. The Historic Preservation Commission shall review applications in accordance with the guidelines provided in §198-41(G, H and I). Any applicant aggrieved by the determination of the Historic Preservation Commission may appeal the determination in writing within twenty (20) days of receipt of the Commission's determination by filing an appeal with the Huntington Town Clerk together with an application fee of one hundred (\$100) dollars. The appeal shall be filed with a copy of the Commission's determination, any written objections the applicant may have to the determination, and any other information the applicant deems advisable or necessary. The applicant must also demonstrate that a true copy of the appeal has been mailed to the Huntington Historic Preservation Commission. The Town Clerk shall forward a copy of the appeal to the Town Attorney for further processing.

L. Administrative hearing. An administrative hearing on an appeal of the Commission's ruling shall be held before a duly appointed Administrative Hearing Officer. Hearings may be adjourned only upon good cause shown. At the administrative hearing the applicant shall be entitled to be represented by legal counsel and provided with an opportunity to be heard. The applicant may present the testimony of witnesses, experts and other evidence in his or her own behalf as he or she deems advisable. The Commission may appear and give testimony in support of its determination if it deems necessary. All hearings shall be recorded. The Hearing Officer shall consider the written objections, the Commission's report, and other evidence or testimony and may adopt or reject, in whole or in part any portion thereof. The Hearing Officer shall submit his or her findings and recommendations to the Huntington Town Board for ultimate determination within thirty (30) days of the close of the hearing. A copy of the Hearing Officer's report shall be filed with the Town Clerk and mailed to the applicant and Historic Preservation Commission by regular mail, or registered or certified mail, return receipt requested. The Town Board may consider the report and accept or reject, in whole or in part, the findings and recommendations of the Hearing Officer with or without conditions as it deems advisable. A copy of the Town Board resolution shall be mailed by the Town Attorney to the applicant by regular mail, or registered or certified mail, return receipt requested. The

decision of the Town Board shall be filed by operation of law with the Huntington Town Clerk and shall be final.

[K]M. In every case where a certificate of approval has been granted by the Town Board or Historic Preservation Commission, the Director of Engineering [Services] shall issue a building permit or other approval, provided that the proposed work complies in all respects with the conditions and modifications imposed by the [Town] approving Board; the applicable provisions of the Codes of the State of New York; and the Code of the Town of Huntington. No work shall commence until a building permit and all other necessary approvals are issued by the Town of Huntington and any other agency having jurisdiction. A person or business entity who commences work, or causes and/or permits the work to be commenced, without the issuance of a building permit and all other necessary approvals shall be in violation of this chapter.

* * *

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section, or other part of this local law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair or invalidate the remainder of this local law, and it shall be construed to have been the legislative intent to enact this local law without such unconstitutional or invalid parts therein.

Section 3. Effective Date.

This local law shall take effect immediately upon filing in the Office of the Secretary of the State of New York.

ADDITIONS ARE INDICATED BY UNDERLINE
*** INDICATES NO CHANGE TO PRESENT TEXT
DELETIONS ARE INDICATED BY [BRACKETS]

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-510

ENACTMENT: APPROVE THE ISSUANCE OF A CERTIFICATE OF APPROVAL
IN A HISTORIC DISTRICT
RE: 20 EAST MAIN STREET, HUNTINGTON—OLD HUNTINGTON GREEN
HISTORIC DISTRICT

Resolution for Town Board Meeting Dated: **October 21, 2014**

The following resolution was offered by: **COUNCILWOMAN BERLAND**

and seconded by: **COUNCILMAN COOK**

THE TOWN BOARD

HAVING HELD A PUBLIC HEARING on the 16th day of September, 2014, pursuant to Section 198, Article VI of the zoning code of the Town of Huntington, to consider the application of Kelly DiVico, 20 East Main Street, Huntington, NY 11743, for a Certificate of Approval to erect a six foot fence on top of a three foot retaining wall at a non-contributing one family dwelling located at 20 East Main Street, Huntington, NY 11743, bearing Suffolk County Tax Map #0400-073.00-02.00-005.001, and located in the Old Huntington Green Historic District; and upon all the information presented on the application at the public hearing and due deliberation having been had,

HEREBY APPROVES the aforesaid application of Kelly DiVico for a Certificate of Approval.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-511

ENACTMENT: APPROVE THE ISSUANCE OF A CERTIFICATE OF APPROVAL
AT AN INDIVIDUALLY DESIGNATED SITE
RE: 35 GREENLAWN ROAD, HUNTINGTON

Resolution for Town Board Meeting Dated: October 21, 2014

The following resolution was offered by: **COUNCILWOMAN BERLAND**

and seconded by: **COUNCILWOMAN EDWARDS**

THE TOWN BOARD

HAVING HELD A PUBLIC HEARING on the 16th day of September, 2014, pursuant to Section 198, Article VI of the zoning code of the Town of Huntington, to consider the application of Rene Neville-Conk, 35 Greenlawn Road, Huntington, NY 11743, for a Certificate of Approval to erect a one story addition (5' x 25') to the rear of the one family dwelling located at 35 Greenlawn Road, Huntington, NY 11743, bearing Suffolk County Tax Map #0400-075.00-01.00-032.001, an individually designated historic site; and upon all the information presented on the application at the public hearing and due deliberation having been had,

HEREBY APPROVES the aforesaid application of Rene Neville-Conk for a Certificate of Approval.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014- 512

RESOLUTION AUTHORIZING APPROPRIATE ACTION(S) IN ACCORDANCE WITH HUNTINGTON TOWN CODE CHAPTER 156 PROPERTY MAINTENANCE; NUISANCES, ARTICLE VII, BLIGHTED PROPERTY, § 156-67, ACTION BY TOWN BOARD FOR FAILURE TO COMPLY OR ABATE VIOLATIONS

Resolution for Town Board Meeting dated: October 21, 2014

The following resolution was offered by: Councilwoman Berland

and seconded by: **COUNCILMAN COOK**

WHEREAS, on August 19, 2014 the Town Board designated certain properties as "blighted" and scheduled a public hearing to consider further action to remedy the conditions of blight; and

WHEREAS, those properties whose owners failed to enter into a Restoration Agreement with the Town or to take steps to remedy the conditions of blight upon their properties have been evaluated and considered for further action(s) to be taken at a public hearing held on September 16, 2014; and

WHEREAS, pursuant to its authority under § 64 and §130 of New York State Town Law, New York State Executive Law § 382 and the Code of the Town of Huntington the Town Board wishes to authorize certain actions to remedy blight conditions; and

WHEREAS, the authorization of the action(s) to remedy blight conditions upon properties within the Town of Huntington is a Type II action pursuant to 6 N.Y.C.R.R. §617.5 (c) (29) and therefore no further SEQRA review is required.

NOW THEREFORE,

THE TOWN BOARD

HEREBY DESIGNATES the properties listed on Schedule "A" to this Resolution to be nuisances and that hereafter the Town shall be authorized to enter upon said properties where such blight exists to remedy such blight and to charge the cost or expense of such remediation against the property tax bill as a lien ; and

HEREBY DIRECTS the Receiver of Taxes to assess the annual registration fees upon the properties as listed in Schedule "A" and properties designated as persistent blighted properties pursuant to § 156-67(D) on Schedule "D" to this Resolution; and

HEREBY DIRECTS the Director of Planning and Environment and/or Engineering to maintain records of all costs and expenses in connection with the abatement of the blight conditions and to provide same reports to the Town Board for determination as to the amounts to be assessed against the properties listed on Schedule "A" and properties designated as persistent blighted properties pursuant to § 156-67(D) on Schedule "D" to this Resolution; and

2014-512

HEREBY DIRECTS AND AUTHORIZES the Town Attorney to provide each property owner listed in Schedule "A" and with a copy of this Resolution; and

FURTHER DIRECTS the Town Attorney to notify the property owners of properties listed on Schedule "B" to this Resolution that structure(s) upon their properties are being evaluated for further action to mitigate blight up to and including consideration for possible demolition at a hearing before an Administrative Hearing Officer; and

HEREBY DESIGNATES the properties listed on Schedule "C" as having corrected previously blighted conditions or entered into a Restoration Agreement and as such are currently in compliance; and

HEREBY DESIGNATES the properties listed on Schedule "D" as persistent or ongoing blighted properties and shall be assessed the annual blighted property assessment fee, whereas the Town will take any and all necessary actions to abate the blighted conditions; and

HEREBY DIRECTS AND AUTHORIZES the Town Attorney to provide each property owner listed in Schedule "D" with a copy of this Resolution, sent registered or certified mail return receipt to the last known address as shown by the records of the Town Assessor.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED

2014-512

Chapter 156 §67 - (A), (B), (C) and (D) of the Code of the Town of Huntington Authorizing Action(s) by Town Board for Failure to Comply or Abate Violations

PREVIOUS EXHIBITS- SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	ANNUAL REGISTRATION FEE
134	178 Beverly Road Huntington Station	0400-203.00-02.00-004.001	178 Beverly Road, LLC c/o Amerevision 30 Broad Street, Ste 407 New York, NY 10004	8/15/2014	\$ 2,500.00
136	9 Maryanne Court Huntington	0400-077.00-02.00-036.007	Walter J. Hergenhan Jo Ann Hergenhan 9 Maryanne Court Huntington, NY 11743-7912	8/20/2014	\$ 2,500.00

Chapter 156 §67 - (A), (B), (C) and (D) of the Code of the Town of Huntington Authorizing Action(s) by Town Board for Failure to Comply or Abate Violations

2014-512

PREVIOUS EXHIBITS- SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	DATE PUBLIC HEARING HELD
134	178 Beverly Road Huntington Station	0400-203.00-02.00-004.001	178 Beverly Road, LLC c/o Amerevision 30 Broad Street, Ste 407 New York, NY 10004	8/15/2014	9/16/2014
136	9 Maryanne Court Huntington	0400-077.00-02.00-036.007	Walter J. Hergenhan Jo Ann Hergenhan 9 Maryanne Court Huntington, NY 11743-7912	8/20/2014	9/16/2014

-SCHEDULE B-

Chapter 156 §67 - (A), (B), (C) and (D) of the Code of the Town of Huntington
 Authorizing Action(s) by Town Board for Failure to Comply or Abate Violations

2014-512

PREVIOUS EXHIBITS- SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE
135	286A Nassau Road Huntington	0400-098.00-01.00-025.000	Richard Olivo Enterprises, Inc. 285 Route 25A Rocky Point, NY 11778	8/18/2014

-SCHEDULE C-
 IN COMPLIANCE

Chapter 156 §67 - (A), (B), (C) and (D) of the Code of the Town of Huntington Authorizing Action(s) by Town Board for Failure to Comply or Abate Violations

2014-512

PREVIOUS EXHIBITS- SCHEDULE A	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	ORIGINAL NOTIFICATION DATE	ANNUAL REGISTRATION FEE
105	4 Knox Place Dix Hills	0400-252.00-03.00-085.000	Arnold Jacinto Irma Jacinto 4 Knox Place Dix Hills, NY 11746	10/17/2013	\$ 2,500.00
14	39 8th Avenue Huntington Station	0400-142.00-01.00-062.000	John Frank Development Corp. 39 8th Avenue Huntington Sta., NY 11746	11/14/2011	\$ 2,500.00
31	131 E. 2nd Street Huntington Station	0400-147.00-04.00-034.000	David J. Crocini Ana Crocini 131 E. 2nd Street Huntington Sta., NY 11746	2/2/2012	\$ 2,500.00
49	502 10th Avenue E. Northport	0400-115.00-02.00-028.000	Dennis Carrion 502 10th Avenue E. Northport, NY 11731	11/15/2012	\$ 2,500.00

**-SCHEDULE D-
PERSISTENT BLIGHT**

2014-514

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW INTRODUCTORY NO. 44 -2014 AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON, CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

RE: DENISE COURT, OAK CREST DRIVE; HUNTINGTON STATION - PARKING RESTRICTIONS

Resolution for Town Board Meeting dated: October 21, 2014

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILWOMAN EDWARDS, COUNCILMAN COOK**

WHEREAS, the Town Board wishes to amend the Uniform Traffic Code in order to change parking regulations to avoid public nuisance and disorder in residential neighborhoods; and

WHEREAS, pursuant to 6 N.Y.C.R.R. 617.5(c)(20) and (27) of SEQRA, regulations amending the Uniform Traffic Code of the Town of Huntington are "routine or continuing agency administration and management, not including new programs or major reordering of priorities" and "promulgation of regulations, policies, procedures and legislative decisions in connection with any Type II action", and therefore, this proposal, a Type II action, requires no further action pursuant to SEQRA.

NOW, THEREFORE THE TOWN BOARD

HEREBY SCHEDULES a public hearing to be held on the 6th day of November, 2014 at 2:00 p.m., Huntington Town Hall, 100 Main Street, Huntington, New York, to consider adopting Local Law Introductory No. 44 -2014 amending the Uniform Traffic Code of the Town of Huntington, Chapter 3, ARTICLE II, §3-3, SCHEDULE J.; as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HUNTINGTON, AS FOLLOWS:

2014-514

LOCAL LAW INTRODUCTORY NO. 44 -2014
AMENDING THE UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

Section 1. Amendment to the Uniform Traffic Code of the Town of Huntington, Chapter 3, ARTICLE II, §3-3, SCHEDULE J.; as follows:

UNIFORM TRAFFIC CODE OF THE TOWN OF HUNTINGTON
CHAPTER 3, ARTICLE II, §3-3, SCHEDULE J.

<u>NAME OF STREET/SIDE LOCATION</u>	<u>REGULATION</u>	<u>HOURS/DAYS</u>
ADD: Denise Court/North From Oak Crest Dr. west for 230 ft. (HUS)	No Parking	6:00 p.m. to 5:00 a.m.
Denise Court/South From 230 ft. west of Oak Crest Dr. to Oak Crest Dr. (HUS)	No Parking	6:00 p.m. to 5:00 a.m.
Oak Crest Drive/West From Jericho Tpke. (Rt. 25) to Denise Ct. (HUS)	No Parking	6:00 p.m. to 5:00 a.m.

Section 2. Severability.

If any clause, sentence, paragraph, subdivision, section, or other part of this local law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair or invalidate the remainder of this local law, and it shall be construed to have been the legislative intent to enact this local law without such unconstitutional or invalid parts therein.

2014-514

Section 3. Effective Date.

This local law shall take effect immediately upon filing in the Office of the Secretary of the State of New York.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DULY ADOPTED.

2014-515

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ISSUING A
CERTIFICATE OF APPROVAL IN AN HISTORIC DISTRICT
RE: 7 GOOSE HILL ROAD, COLD SPRING HARBOR—COLD SPRING HARBOR
HISTORIC DISTRICT

Resolution for Town Board Meeting Dated: October 21, 2014

The following resolution was offered by: **COUNCILMAN CUTHBERTSON**

and seconded by: **COUNCILMAN COOK**

WHEREAS, an application was submitted to the Town Board of the Town of Huntington by John and Michele Gulitti, 7 Goose Hill Road, Cold Spring Harbor, NY, for a Certificate of Approval to erect a one story addition with a roofed over porch and to reinstate an approved 2007 application for a garage addition at the single family dwelling located at 7 Goose Hill Road, Cold Spring Harbor, NY 11724, pursuant to regulations for historic districts, buildings and landmarks, Chapter 198, Article VI of the Code of the Town of Huntington, and

WHEREAS, said premises is located in the Cold Spring Harbor Historic District and bears Suffolk County Tax Map #0400-016.00-06.00-008.003, and

WHEREAS, the issuance of a Certificate of Approval in an historic district is a Type II action pursuant to 6 N.Y.C.R.R. Section 617.5(c)(9) and, therefore no further SEQRA review is required.

NOW, THEREFORE, PURSUANT to Section 198-41 of the Code of the Town of Huntington,

THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the **6th** day of **NOVEMBER**, 2014, at **2:00** p.m. at Town Hall, 100 Main Street, Huntington, NY, to consider issuing a Certificate of Approval for the aforesaid application of John and Michele Gulitti.

VOTE: AYES: **5** NOES: **0** ABSTENTIONS: **0**

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-516

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ISSUING A
CERTIFICATE OF APPROVAL IN AN HISTORIC DISTRICT
RE: 144 OLD COUNTRY ROAD, MELVILLE—SWEET HOLLOW HISTORIC
DISTRICT

Resolution for Town Board Meeting Dated: October 21, 2014

The following resolution was offered by: **COUNCILWOMAN BERLAND**

and seconded by: **COUNCILWOMAN EDWARDS**

WHEREAS, an application was submitted to the Town Board of the Town of Huntington by Terri Haas and George Gelish. 144 Old Country Road, Melville, for a Certificate of Approval to legalize a 9.6' x 20' tool shed attached to a detached garage and the prior removal of a portion of another shed attached to same garage at the single family dwelling located at 144 Old Country Road, Melville 11747, pursuant to regulations for historic districts, buildings and landmarks, Chapter 198, Article VI of the Code of the Town of Huntington, and

WHEREAS, said premises is located in the Sweet Hollow Historic District and bears Suffolk County Tax Map #0400-256.00-02.00-022.000, and

WHEREAS, the issuance of a Certificate of Approval in an historic district is a Type II action pursuant to 6 N.Y.C.R.R. Section 617.5(c)(10) and, therefore no further SEQRA review is required.

NOW, THEREFORE, PURSUANT to Section 198-41 of the Code of the Town of Huntington,

THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the **6th** day of **November**, 2014, at **2:00** p.m. at Town Hall, 100 Main Street, Huntington, NY, to consider issuing a Certificate of Approval for the aforesaid application of Terri Haas and George Gelish.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER ACQUIRING
CENTERPORT PROPERTY (SHOREWOOD COMMUNITY ASSOCIATION)

Resolution for Town Board Meeting Dated: October 21, 2014

The following resolution was offered by: Supervisor Petrone
Councilman Cuthbertson

and seconded by: **COUNCILMAN COOK**

WHEREAS, on November 3, 1998 the voters of the Town of Huntington approved the establishment of the \$15 million Environmental Open Space and Park Fund; on November 4, 2003 Huntington voters extended the program by an additional \$30 million; and on November 4, 2008 voters extended the initial \$15 million program by an overwhelming 75% margin, and

WHEREAS, the Environmental Open Space and Park Fund Review Advisory (EOSPA) Committee

- conducted a field investigation;
- sent a willing seller letter and received an affirmative response from the Shorewood Community Association President, representing owners of a 0.12-acre lot SCTM 0400-040-06-012.000, located on the south side of Mill Dam Road in Centerport;
- considered ownership to be preferable to extension of the present license agreement situation, since the site is developed and used as a component of a Town park; and
- recommended that the Town Board pursue acquisition for continued public park use as a component of Grist Mill Park; and

WHEREAS, the Town Board wishes to proceed with acquisition for this specific real property as recommended by the EOSPA Committee; and

WHEREAS, prior to acquiring an interest in the property, a public hearing is required to be held pursuant to General Municipal Law §247, and

WHEREAS, prior to completing the acquisition of the subject property, the Town Board has determined that its action to acquire the property is classified as Unlisted pursuant to SEQRA, and the Town Board is the only agency "involved" in authorizing expenditures against the EOSPA Program funds, and therefore has been established as lead agency, and

WHEREAS, the Department of Planning and Environment has prepared a short Environmental Assessment Form for the proposed action to facilitate completion of the necessary SEQRA evaluation prior to the Town Board authorizing any action;

NOW THEREFORE, BE IT

RESOLVED, that the Town Board finds, on review of the short form EAF, there shall be no significant adverse impacts associated with acquisition of the property for park purposes and hereby issues a Negative Declaration pursuant to SEQRA, and

BE IT FURTHER

RESOLVED, that the Town Board hereby schedules a public hearing pursuant to General Municipal Law §247.2 for the 6th day of November, 2014 at 2:00 p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York to consider acquiring the identified Shorewood Association Property for passive parkland and trailhead parking; and

BE IT FURTHER

RESOLVED, that the Town Board hereby authorizes the Town Attorney and Special EOSPA Committee Counsel to take the necessary actions to obtain an appraisal and, upon receipt of such appraisal, to facilitate negotiation of a contract to purchase the property identified above; and

BE IT FURTHER

RESOLVED, that the Town Board hereby authorizes the Comptroller to appropriate funds on an as-needed basis to be transferred from A-0870 Open Space Land and Park Improvements Reserve Fund and charged to the appropriate capital budget account for the proposed acquisition as necessary for the appraisal.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER
AUTHORIZING VARIOUS ACTIONS BE TAKEN UPON CERTAIN PROPERTIES
DESIGNATED AS BLIGHTED IN ACCORDANCE WITH CHAPTER 156, ARTICLE
VII, § 156-60 (BLIGHTED PROPERTY)

Resolution for Town Board Meeting Dated: October 21, 2014

The following resolution was offered by: Councilwoman Berland

and seconded by: **COUNCILMAN COOK**

WHEREAS, the Town Board by Resolution 2011-358 enacted Local Law No.21-2011 Amending the Code of the Town of Huntington to establish code provisions affecting Property Maintenance and Nuisances for structures and properties within the Town; and

WHEREAS, there are conditions existing upon the locations set forth in Schedule "A" attached hereto and made a part of this Resolution which constitute a Blighted Property as defined in Article VII of Chapter 156; and

WHEREAS, the owner(s) of the properties listed in Schedule "A" have failed to respond to the Notice(s) of Violation(s) issued by the Department of Public Safety and have not taken sufficient steps to correct the blighted conditions listed in the Notice of Violation(s); and

WHEREAS, the correction of code violations by the Town of Huntington is a Type II action pursuant to 6 N.Y.C.R.R. (c) (33) and therefore no further SEQRA review is required.

NOW, THEREFORE, THE TOWN BOARD

HEREBY DESIGNATES the properties listed on Schedule "A" as Blighted Properties as defined by Chapter 156, Article VII; and

HEREBY DIRECTS the Town Attorney to provide each property owner listed in Schedule "A" with a copy of this Resolution, and a notice stating that failure to enter into a Restoration Agreement or failure to correct such blighted conditions within ten (10) days of mailing of the Notice shall result in the Town taking all steps necessary to correct the blighted conditions existing upon their property at the property owner's expense; and

HEREBY DIRECTS the Director of Planning and Environment to place such blighted properties on the Blighted Property Inventory list; and

HEREBY SCHEDULES a public hearing to be held on the **6th** day of **November**, 2014 at **2:00** p.m. at Huntington Town Hall, 100 Main Street, Huntington, New York, to consider authorizing various actions be taken with regard to blighted properties to bring about compliance with Article VII, Chapter 156 of the Code of the Town of Huntington.

2014-518

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Eugene Cook	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-518

Chapter 156 §67 - (A), (B), (C) and (D) of the Code of the Town of Huntington Authorizing Actions by Town Board for Failure to Comply or Abate Violations

EXHIBIT NO.	PROPERTY IN VIOLATION	TAX ID #	PROPERTY OWNER/ MAILING ADDRESS	NOTIFICATION DATE	ANNUAL REGISTRATION FEE
137	1 Denton Court Huntington	0400-206.00-01.00-055.000	Philip McLaughlin Deborah McLaughlin 1 Denton Court Huntington, NY 11743-5307	9/10/2014	\$ 2,500.00
138	7 Sunset Drive Huntington	0400-098.00-02.00-035.000	Matthew McKay 69 W. 11th Street Huntington Sta., NY 11746	9/10/2014	\$ 2,500.00
140	16 Hilltop Avenue Huntington	0400-098.00-02.00-049.000	Meir Dombey Chaya Burstein 16 Hilltop Avenue Huntington, NY 11743-3719	9/17/2014	\$ 2,500.00
141	43 Talisman Drive Huntington	0400-262.00-02.00-145.000	Barry Blake Colette Blake 43 Talisman Drive Huntington, NY 11743-5326	9/22/2014	\$ 2,500.00
139	74 Old Northport Road Huntington	0400-077.00-02.00-012.000	Angelo Karastamatis 74 Old Northport Road Huntington, NY 11743-2995	9/15/2014	\$ 2,500.00

SCHEDULE A
Schedule Public Hearing

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER AN AGREEMENT TO LEASE, OPERATE AND MANAGE GOLF COURSE AND FOOD AND BEVERAGE OPERATIONS AT THE CRAB MEADOW GOLF COURSE AND OPERATE AND MANAGE GOLF COURSE OPERATIONS AT THE DIX HILLS GOLF COURSE IN THE TOWN OF HUNTINGTON, NEW YORK

Resolution for Town Board Meeting Dated: October 21, 2014

The following resolution was offered by: Supervisor Petrone

and seconded by: **COUNCILMAN COOK**

WHEREAS, The Town is seeking an operator(s) with extensive experience and knowledge operating golf facilities, offering financial stability and a strong commitment to customer service and employee performance; and

WHEREAS, requests for proposals were received on August 8, 2014, by the Town of Huntington, Director of Purchasing, 100 Main Street, Huntington, New York to Lease, Operate and Manage Golf Course and Food and Beverage Operations at the Crab Meadow Golf Course and operate and manage operations at the Dix Hills Golf Course in the Town of Huntington, New York, RFP No. 2014-08-012 and the same were opened and read aloud; and

WHEREAS, Integrity Golf Company, LLC, 16301 Phil Ritson Way, Winter Garden, FL 34787 is the successful responsive and responsible proposer; and

WHEREAS, the execution of this lease agreement is a Type II action pursuant to 6 N.Y.C.R.R. 617.5(c)(20) and therefore no further SEQRA review is required.

NOW, THEREFORE THE TOWN BOARD

HEREBY SCHEDULES a public hearing for the 6th day of November, 2014 at 2 P.M. at Huntington Town Hall, 100 Main Street, Huntington, New York to consider awarding an agreement to Lease, Operate and Manage Golf Course and Food and Beverage Operations at the Crab Meadow Golf Course and operate and manage operations at the Dix Hills Golf Course in the Town of Huntington, New York. The Town will receive revenue pursuant to Schedule A, which will be deposited into fund A2410-2410. The contract period shall be effective for a five (5) year period commencing upon the execution of the contract but not prior to January 1, 2015 and ending December 31, 2019, and will have the potential to renew the agreement for three (3) additional and successive five (5) year terms at the town's discretion under the negotiated prices, terms and conditions, and upon such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone
Councilwoman Susan A. Berland **AYE**
Councilman Eugene Cook **AYE**
Councilman Mark A. Cuthbertson **AYE**
Councilwoman Tracey A. Edwards **AYE**

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

SCHEDULE A
Integrity Golf Company LLC
10/21/2014

Town of Huntington
Request for Proposal To Lease, Operate and Manage
Golf Course and Food and Beverage Operations at the Crab Meadow Golf Course
and Dix Hills Golf Course in the Town of Huntington, New York
RFP No. 2014-08-012 and
RFP No. 2014-08-012R

Year	<u>Golf Courses</u> Proposed Annual Revenue Payment	<u>Restaurant and Snack Bar</u> Proposed Annual Revenue Payment	Total Combined Revenue Payment	Annual Capital Improvement Investment
2015	\$62,000 or 10% of operator's gross annual revenue, whichever is greater	\$45,000 or 10% of operator's gross annual revenue, whichever is greater	\$107,000 or 10% of operator's gross annual revenue, whichever is greater	\$25,000 or 1.5% of collected revenue whichever is greater
2016	\$64,000 or 10% of operator's gross annual revenue, whichever is greater	\$45,000 or 10% of operator's gross annual revenue, whichever is greater	\$109,000 or 10% of operator's gross annual revenue, whichever is greater	\$25,000 or 1.5% of collected revenue whichever is greater
2017	\$66,000 or 10% of operator's gross annual revenue, whichever is greater	\$45,000 or 10% of operator's gross annual revenue, whichever is greater	\$111,000 or 10% of operator's gross annual revenue, whichever is greater	\$25,000 or 1.5% of collected revenue whichever is greater
2018	\$68,000 or 10% of operator's gross annual revenue, whichever is greater	\$47,250 or 10% of operator's gross annual revenue, whichever is greater	\$115,250 or 10% of operator's gross annual revenue, whichever is greater	\$25,000 or 1.5% of collected revenue whichever is greater
2019	\$70,000 or 10% of operator's gross annual revenue, whichever is greater	\$47,250 or 10% of operator's gross annual revenue, whichever is greater	\$117,250 or 10% of operator's gross annual revenue, whichever is greater	\$25,000 or 1.5% of collected revenue whichever is greater
Total 2015-2019	\$330,000 or 10% of operator's gross annual revenue, whichever is greater	\$229,500 or 10% of operator's gross annual revenue, whichever is greater	\$559,500 or 10% of operator's gross annual revenue, whichever is greater	\$125,000 or 1.5% of collected revenue whichever is greater

RESOLUTION AMENDING RESOLUTION NO. 2014-348 AUTHORIZING THE SUPERVISOR TO EXECUTE A CONTRACT WITH TOSHIBA BUSINESS SOLUTIONS USA, INC., FOR THE LEASE OF 64 MULTIFUNCTION COPY/PRINT/SCAN MACHINES FOR VARIOUS TOWN DEPARTMENTS UNDER SUFFOLK COUNTY CONTRACT WHICH WAS ADOPTED ON JULY 15, 2014.

Resolution for Town Board Meeting Dated: October 21, 2014

The following resolution was offered by: **COUNCILWOMAN BERLAND**

and seconded by: **SUPERVISOR PETRONE, COUNCILWOMAN EDWARDS**

WHEREAS, the Town's five year lease for forty-one copiers in various departments is/was expiring in August 2014 and must be replaced; and

WHEREAS, the Town's additional leases for twenty-three copiers in various departments expire at different times and this resolution brings all leases onto one payment schedule; and

WHEREAS, it was determined that it is cost beneficial to the Town to combine all leases at a budget savings of approximately \$21,882.36 per year for a total of \$65,647.08 over a three year period; and

WHEREAS, the copiers will be leased from Toshiba Business Solutions USA, Inc. under Suffolk County Contract # PE 062714 (black and white) and Suffolk County Contract # PEC 052114 (color); and

WHEREAS, execution of this agreement is a Type II action under SEQRA, pursuant to N.Y.C.R.R. 617.2 (b) and therefore no further SEQRA review is required.

NOW THEREFORE, THE TOWN BOARD

HEREBY AUTHORIZES the Supervisor to execute a contract with Toshiba Business Solutions USA, Inc., d/b/a Toshiba Business Solutions NY/NJ c/o 201 Old Country Road, Suite 100, Melville, NY 11747, under Suffolk County Contract #'s PE-062714 and PEC-052114 at a monthly rate not to exceed SIXTEEN THOUSAND EIGHT HUNDRED TWO AND FIFTY-FOUR CENTS (\$16,802.54) DOLLARS for thirty-six (36) months to be charged to Operating Budget A1670-2316, and on such other terms and conditions as may be acceptable to the Town Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Supervisor Frank P. Petrone	AYE
Councilwoman Susan A. Berland	AYE
Councilman Mark A. Cuthbertson	AYE
Councilwoman Gene Cook	AYE
Councilman Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

2014-BT-7

ENACTMENT: APPROVE THE ISSUANCE OF A SPECIAL USE PERMIT PURSUANT TO THE MARINE CONSERVATION LAW, TOWN CODE CHAPTER 137,

APPLICANT: THOMAS A. KNUTSON JR. REVOCABLE TRUST

LOCATION: 17 MILL DAM RD., HUNTINGTON, N.Y.

S.C.T.M. #: 0400-031.00-01.00-011.000

Resolution for Board of Trustees Meeting Dated: October 21, 2014

The following resolution was offered by: **PRESIDENT PETRONE**

and seconded by: **TRUSTEE BERLAND, TRUSTEE COOK**

WHEREAS, pursuant to Chapter 137, the Marine Conservation Law of the Town of Huntington, an application for a special use permit has been submitted by

Torkel A. Knutson

On behalf of

Thomas A. Knutson Jr. Revocable Trust

156 New York Ave.

Huntington, N.Y. 11743

to perform maintenance dredging of the area set forth on the plan attached hereto as "Schedule A," stamped by Thomas D. Reilly, P.E., last revised on December 26, 2013, and approved by the New York State Department of Environmental Conservation (NYSDEC) on January 14, 2014. The maximum depth of dredging shall be limited to five (5) ft below Mean Low Water. All work shall conform to NYSDEC permit: 1-4726-01347/00007. Project located in a portion of and proximity to S.C.T.M. # 0400-031.00-01.00-011.000; and

WHEREAS, this action is classified as an unlisted action pursuant to the State Environmental Quality Review Act (SEQRA) and the Board of Trustees has been established as lead agency for this action; and

WHEREAS, upon review of the Environmental Assessment Form, submitted by the applicant, and by the SEQRA review prepared by the Town Department of Maritime Services, it has been determined that no potentially adverse environmental impacts are posed by the pending action, providing the conditions requested by the Department of Engineering Services and Maritime Services are adhered to.

NOW, THEREFORE

THE BOARD OF TRUSTEES, having held a public hearing on the 16th day of September, 2014, at 2:00 pm, to consider the issuance of a special use permit to the Thomas A. Knutson Jr. Revocable Trust to perform maintenance dredging of the area set forth on the plan attached hereto as "Schedule A," stamped by Thomas D. Reilly, P.E., last revised on December 26, 2013, and approved by the New York State Department of

2014-BT-7

Environmental Conservation (NYSDEC) on January 14, 2014. The maximum depth of dredging shall be limited to five (5) ft below Mean Low Water. All work shall conform to NYSDEC permit: 1-4726-01347/00007. Project located in a portion of and proximity to S.C.T.M. # 0400-031.00-01.00-011.000; and due deliberation being had;

HEREBY RESOLVES, that based upon the review of the Environmental Assessment Form (EAF), submitted by the applicant, and the SEQRA review prepared by the Town Department of Maritime Services, the issuance of the permit does not pose a significant adverse environmental impact, provided that the conditions requested by the Department of Maritime Services are adhered to, and hereby issues a negative declaration; and

HEREBY APPROVES, under a reservation of rights, the issuance of a Special Use Permit under Chapter 137 of the Code of the Town of Huntington the Thomas A. Knutson Jr. Revocable Trust to perform maintenance dredging of the area set forth on the plan attached hereto as "Schedule A," stamped by Thomas D. Reilly, P.E., last revised on December 26, 2013, and approved by the New York State Department of Environmental Conservation (NYSDEC) on January 14, 2014. The maximum depth of dredging shall be limited to five (5) ft below Mean Low Water. All work shall conform to NYSDEC permit: 1-4726-01347/00007. Project located in a portion of and proximity to S.C.T.M. # 0400-031.00-01.00-011.000 and subject to such terms and conditions follows:

- 1) Applicant must notify the Department of Engineering Services, Department of Maritime Services and the Harbor Masters office 48 hours prior to the commencement of any construction/demolition activities. Notification shall be in writing to each department at 100 Main St., Town Hall, Huntington, N.Y. 11743 and separate facsimile transmissions at (631) 351-3373, (631) 351-3132 and (631) 425-0621; and
- 2) Prior to the issuance of this Special Use Permit, a Hold Harmless/Indemnity Agreement inuring to the benefit of the Town of Huntington Board of Trustees, the Town of Huntington, and the Town of Huntington Town Board shall be executed by the contractor performing the dredging for the applicant on the underwater lands; and
- 3) All construction equipment, vehicles and materials shall access the project site via a sea barge or the applicant's own property. No construction equipment, vehicles or material deliveries shall transverse adjacent properties; and
- 4) All activities must be conducted in conformance with the approved New York State DEC Tidal Wetlands Permit and associated approved plans prepared by Thomas Reilly P.E.; and
- 5) The applicant is responsible for obtaining and adhering to all necessary Federal, State, local and other required permits; and
- 6) No materials or debris shall be discharged or otherwise permitted in tidal waters, wetlands and/or protected buffer areas; and

2014-BT-7

- 7) Any solid debris or excess bulk material from construction of this project shall be completely contained on the subject property and shall be removed from the site in a timely manner to an approved upland area for disposal; and
- 8) All necessary precautions shall be taken to preclude contamination of wetlands or waterways by construction debris, suspended solids, sediments, fuel, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with this project; and
- 9) There will be no disturbance to the vegetated tidal wetlands or protected areas as a result of the proposed activity; and
- 10) All required Town of Huntington inspections are scheduled at appropriated intervals during the course of demolition/construction; and
- 11) All backfill material shall be "clean" sand free of asphalt, concrete or any other construction debris; and
- 12) The applicant, owner and their duly authorized representatives (such as contractors, sub-contractors and work-force) are required to adhere to the construction plans, methodology and/or terms/conditions approved by the Town of Huntington Department of Engineering Services, Department of Maritime Services, and the Town Attorney's Office; and
- 13) Prior to the commencement of any construction activities any modification or deviation from the approved plans, methodology and/or terms/conditions made part of this permit must be reviewed and approved by all departments, agencies having jurisdiction over this project: and
- 14) Upon completion of the project the applicant must notify the Department of Engineering Services and the Department Of Maritime Services in writing to each department at 100 Main St., Town Hall, Huntington, N.Y. 11743.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

President Frank P. Petrone	AYE
Trustee Susan A. Berland	AYE
Trustee Mark A. Cuthbertson	AYE
Trustee Eugene Cook	AYE
Trustee Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

SCHEDULE - A

NOTES

DATUM: ALW

PURPOSE: RESTORE USE OF BOAT DOCKAGE AREA

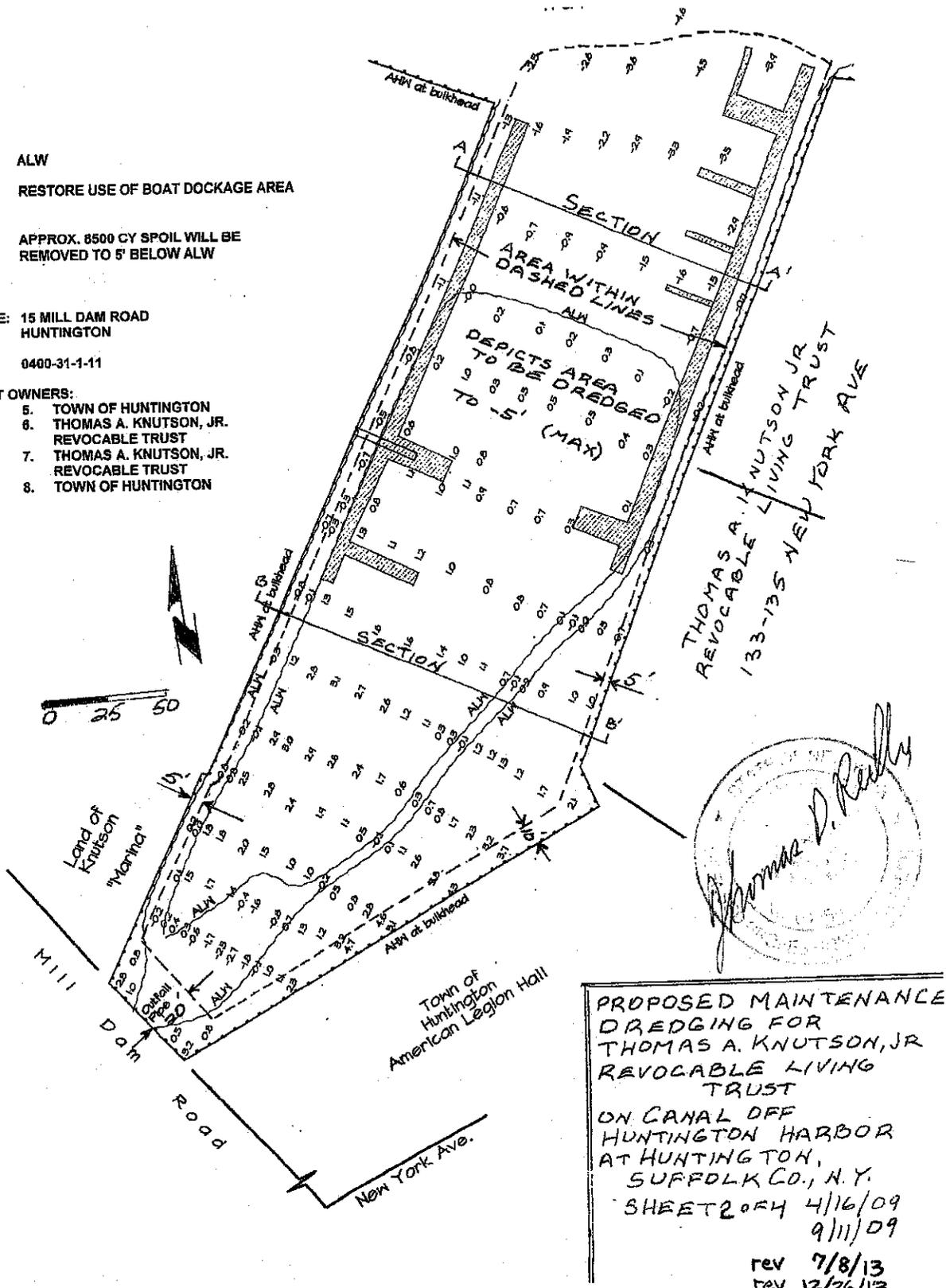
APPROX. 8500 CY SPOIL WILL BE REMOVED TO 5' BELOW ALW

WORK SITE: 15 MILL DAM ROAD HUNTINGTON

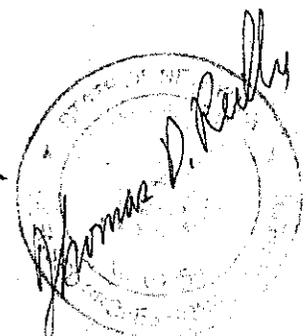
SCTM #: 0400-31-1-11

ADJACENT OWNERS:

- 5. TOWN OF HUNTINGTON
- 6. THOMAS A. KNUTSON, JR. REVOCABLE TRUST
- 7. THOMAS A. KNUTSON, JR. REVOCABLE TRUST
- 8. TOWN OF HUNTINGTON



THOMAS A. KNUTSON JR.
REVOCABLE LIVING TRUST
133-135 NEW YORK AVE



PROPOSED MAINTENANCE
DREDGING FOR
THOMAS A. KNUTSON, JR
REVOCABLE LIVING
TRUST
ON CANAL OFF
HUNTINGTON HARBOR
AT HUNTINGTON,
SUFFOLK CO., N.Y.
SHEET 2 OF 4 4/16/09
9/11/09
REV 7/8/13
REV 12/26/13

RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE A CONTRACT WITH CERTILMAN BALIN ADLER & HYMAN, LLP FOR LEGAL SERVICES IN CONNECTION WITH THE PREPARATION AND APPROVAL OF A CONDOMINIUM PLAN FOR COLUMBIA TERRACE, HUNTINGTON STATION

Resolution for Community Development Agency Board Meeting dated: October 21, 2014

The following resolution was offered by: Chairman Petrone

And seconded by: **MEMBER COOK**

WHEREAS, as a component redevelopment project of the ongoing revitalization of Huntington Station and to create affordable housing for military veterans, the Town of Huntington, in cooperation with the Huntington Community Development Agency, has developed a "Take Back the Blocks" development known as Columbia Terrace; and

WHEREAS, Columbia Terrace consists of a combination of fourteen condominium units at the corner of Lowndes Avenue and Railroad Street; and

WHEREAS, the firm of Certilman Balin Adler & Hyman, LLP has been selected to provide the necessary legal expertise to prepare the project's condominium plan; and

WHEREAS, the execution of said contract is a Type II action pursuant to 6N.Y.C.R.R. § 617.5 (c) (21), and therefore no further SEQRA review is required.

NOW, THEREFORE

THE HUNTINGTON COMMUNITY DEVELOPMENT AGENCY BOARD

HEREBY AUTHORIZES the Chairman to execute a contract with Certilman Balin Adler & Hyman LLP for legal services required in connection with the preparation and approval of a condominium plan for Columbia Terrace, Huntington Station for an amount not to exceed TWENTY-FOUR THOUSAND DOLLARS AND NO/100 (\$24,000.00) TO BE CHARGED TO THE Highview Fund upon such terms and conditions as approved by the Agency Attorney.

VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Chairman Frank P. Petrone	
Member Susan A. Berland	AYE
Member Eugene Cook	AYE
Member Mark Cuthbertson	AYE
Member Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.

RESOLUTION AUTHORIZING THE CHAIRMAN TO EXECUTE A CONTRACT WITH CERTILMAN BALIN ADLER & HYMAN, LLP FOR LEGAL SERVICES IN CONNECTION WITH THE PREPARATION AND APPROVAL OF A CONDOMINIUM PLAN FOR COLUMBIA TERRACE, HUNTINGTON STATION

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VOTE: AYES: 5 NOES: 0 ABSTENTIONS: 0

Chairman Frank P. Petrone	AYE
Member Susan A. Berland	AYE
Member Eugene Cook	AYE
Member Mark Cuthbertson	AYE
Member Tracey A. Edwards	AYE

THE RESOLUTION WAS THEREUPON DECLARED DULY ADOPTED.